TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER  DEPARTMENT: ADMINISTRATIVE SERVICES

DATE: NOVEMBER 3, 2008  CMR: 429:08

REPORT TYPE: CONSENT

SUBJECT: Adoption of a Resolution Summarily Vacating a 10-foot Public Utilities Easement at 3510 Murdoch Drive

RECOMMENDATION
Staff recommends that Council approve the attached Resolution summarily vacating a Public Utilities Easement (PUE) at 3510 Murdoch Drive, Palo Alto.

DISCUSSION
The owners of the property at 3510 Murdoch Drive have requested that the City vacate a 10-foot PUE which runs along the westerly property line (see attached map). The owners are selling this property and the prospective buyers intend to remodel and possibly expand the home on this property. They wish to avoid any limitations due to the easement which has never been used. There are no public facilities located within this easement, and it has never been used for utilities purposes. Staff has notified AT&T (formerly SBC Communications), the City Utilities, Public Works and Planning Departments of the proposal to vacate the PUE and all concur with the vacation. Therefore, the 10-foot PUE to be vacated is not necessary for any present or future use and it may be summarily vacated in accordance with Section 8333 of the California Streets and Highways Code.

RESOURCE IMPACT
The easement vacation processing fee of $1,260, as set forth in the Municipal Fee Schedule, has been paid by the owners.

POLICY IMPLICATIONS
The recommendation does not represent any change to City policies. The Planning Department has determined that the vacation of the 10-foot PUE is in conformity with the Palo Alto Comprehensive Plan.
ENVIRONMENTAL REVIEW
The proposed summary vacation of the 10-foot PUE is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations Section 15305 as a minor alteration in land use limitations.
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Senior Financial Analyst

DEPARTMENT HEAD APPROVAL: LALO PEREZ
Director, Administrative Services

CITY MANAGER APPROVAL: JAMES KEENE
City Manager

ATTACHMENTS
Attachment A: Summary Vacation Resolution

cc: property owners