



# City of Palo Alto

## City Council Staff Report

(ID # 8696)

---

**Report Type: Consent Calendar**

**Meeting Date: 1/22/2018**

**Summary Title: Resolution Vacating Public Utility Easement at 693 Arastradero Road**

**Title: Adoption of a Resolution Vacating Public Utility Easement at 693 Arastradero Road**

**From: City Manager**

**Lead Department: Administrative Services**

### **RECOMMENDATION**

Staff recommends that Council approve the attached Resolution Summarily Vacating a Public Utilities Easement (PUE) (no width given) at 693 Arastradero Road, Palo Alto, CA.

### **DISCUSSION**

The property owners have requested that the City vacate the public utility easement (PUE) for overhead electric facilities located on their property at 693 Arastradero Road. The PUE was created and recorded February 6, 1951, in Book 2147 of Official Records at Page 271 prior to the annexation of this area to the City of Palo Alto. There have never been any utilities in the PUE and the easement has never been used. All utilities servicing Arastradero Road properties are located in the public street right-of-way. Utility Department has no future plans for utilities in this location. Therefore, this PUE is no longer necessary for any future public purpose. Staff has notified AT&T (formerly SBC Communications), the City of Palo Alto Utilities, Public Works and Planning Departments of the proposal to vacate the PUE and all concur with the vacation. Therefore, the PUE to be vacated in accordance with Section 8333 of the California Streets and Highways Code.

### **RESOURCE IMPACT**

The easement vacation processing fee of \$1,642.00, as set forth in the Municipal Fee Schedule, has been paid by the property owners. Once the easement is vacated the property owner's interest will no longer be burdened by the easement.

### **POLICY IMPLICATIONS**

The recommendation does not represent any change to City policies. The Planning Department has determined that the vacation of this easement is in conformity with the Palo Alto Comprehensive Plan.

**ENVIRONMENTAL REVIEW**

The proposed summary vacation of the public utilities easements are categorically exempt from the 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.

**Attachments:**

- Attachment A: 693 Arastradero Road Summary Vacation

Attachment A

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.: 167-04-011  
Project No.: CEV 16/07  
Project: Vacation of Easement  
693 Arastradero Road

**S U M M A R Y     V A C A T I O N**  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE COUNCIL OF THE CITY OF PALO ALTO SUMMARILY VACATING PUBLIC SERVICE EASEMENTS

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 easement was accepted by the City of Palo Alto and recorded in the Office of the Santa Clara County, filed for record on February 6, 1951, in Book 2147, at page 271, and;

WHEREAS, Section 8333 of the Streets and Highways Code authorizes the City Council to summarily vacate public service utilities easements which are no longer necessary when the easements have been superseded by relocation and no other public facilities are located within the easements; and

WHEREAS, the City council intends to summarily vacate the Public Service Easements for Utilities as more particularly described herein 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 Public Service Easement described herein on Exhibit "A" and depicted on the plat map attached as Exhibit "B" have been superseded by relocation; and
2. No public facilities are located within the said Public Service Easements; and
3. The public convenience and necessity do not require reservation of any portion of these easements; and
4. The Council has considered the Palo Alto Comprehensive Plan and ratifies the determination of the planning department that the vacation of the public service 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 8333 of the Streets and Highways Code, the City Council does hereby order that the public service 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 Map.

SECTION 4. The public service easement for utilities described in Exhibit "A" and depicted in the plat map attached as Exhibit "B" will no longer constitute public service easements 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 public service 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:

APPROVED:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

APPROVED:

\_\_\_\_\_  
Senior Asst. City Attorney

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Director of Administrative  
Services

**EXHIBIT "A"**

**LEGAL DESCRIPTION  
EXISTING PG&E EASEMENT  
TO BE VACATED**

That certain easement for a line of poles situate in the City of Palo Alto, County of Santa Clara, State of California, being all of the PG&E easement as described in that document recorded February 6, 1951, in Book 2147 of Official Records at Page 271, and lying within the lands of Bowman International School and adjacent Arastradero Road as described in Document Number 22722105, recorded September 26, 2014 in the Office of the Recorder of said County and State; being more particularly described as follows:

Beginning at a point on the former southeasterly right-of-way line of Arastradero Road, lying North 28°58'00" East 36.70 feet from the most westerly corner of said lands of Bowman International School;

Thence South 74°52'00" East 82.62 feet, more or less, to the Point of Terminus on the southerly line of said lands of Bowman International School.

As shown on the plat attached hereto and made a part hereof.

**Description prepared by MacLeod and Associates, Inc.**

  
\_\_\_\_\_  
Daniel G. MacLeod L.S. 5304

*MAY 12, 2017*  
\_\_\_\_\_  
Date



RECORD OF SURVEY  
853 M 15

CURRENT  
ARASTRADERO ROAD  
RIGHT-OF-WAY

FORMER  
ARASTRADERO ROAD  
RIGHT-OF-WAY

LANDS OF BOWMAN  
INTERNATIONAL SCHOOL  
DOC. NO. 22722105

ARASTRADERO ROAD  
(80' - R/W)

PG&E EASEMENT  
FOR LINE OF POLES  
2147 O.R. 271  
TO BE VACATED  
(NO WIDTH GIVEN)

POINT OF  
TERMINUS

LANDS OF CITY AND  
COUNTY OF SAN FRANCISCO

POINT OF  
BEGINNING

N 28°58'00" E  
36.70'

R=540.00'  
D=6°04'51"  
L=57.31'

N 83°50'00" E  
327.26'

N 83°50'00" E  
14.63'

S 74°52'00" E 82.62'

S 28°58'00" W 131.13'

15'

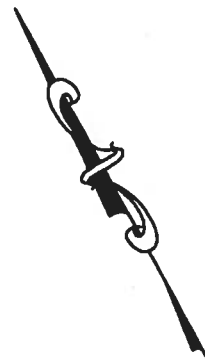


EXHIBIT "B"



TITLE: PLAT TO ACCOMPANY LEGAL DESCRIPTION  
PG&E EASEMENT PER 2147 O.R. 271 TO BE VACATED  
PALO ALTO SANTA CLARA COUNTY CALIFORNIA

PREPARED FOR: BOWMAN INTERNATIONAL SCHOOL	PLAT: DJK	CHECKED: DGM	SCALE: 1" = 20'	DATE: 05/12/17	JOB #: 4091-14
--	--------------	-----------------	--------------------	-------------------	-------------------

**MACLEOD AND ASSOCIATES**  
CIVIL ENGINEERING • LAND SURVEYING  
965 CENTER STREET SAN CARLOS CA 94070 (650) 593-8580

## EXHIBIT "C" CLOSURES

North: 4055.9284' East: 7519.9689'

Segment #1 : Line

Course: S74° 52' 00"E Length: 82.62'  
North: 4034.3591' East: 7599.7237'

Segment #2 : Line

Course: S83° 50' 00"W Length: 83.47'  
North: 4025.3926' East: 7516.7367'

Segment #3 : Line

Course: S83° 50' 00"W Length: 14.63'  
North: 4023.8211' East: 7502.1913'

Segment #4 : Line

Course: N28° 58' 00"E Length: 36.70'  
North: 4055.9300' East: 7519.9652'

Perimeter: 217.43' Area: 1472.19 Sq. Ft.  
Error Closure: 0.0040 Course: N66° 33' 55"W  
Error North: 0.00161 East: -0.00371

Precision 1: 54355.00