

**EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL
Meeting of October 17, 2006**

AGENDA TITLE: Abandonment of Easement #2006-14; Village "H" Unit No. 6A, Lot 122; Iraj Pourarian

DEPARTMENT: Transportation

DEPT SIGNOFF: 

CAO USE ONLY: 

CONTACT: Deborah Gruber 

DATE: 9/22/06

PHONE: XT 6519/5992

10/4/06

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:

The El Dorado County Department of Transportation recommends the Board of Supervisors:

1. Adopt the Resolution of Vacation to abandon public utilities easements and to terminate and abandon a rejected offer for drainage easements, located on the side and rear boundary lines of Lot 122, identified as Assessor's Parcel Number 123-170-03, Village "H" Unit No. 6A, as requested by Iraj Pourarian. Said action is necessary to allow construction of improvements on the subject lot.
2. Authorize the Chairman to sign the Resolution.

CAO RECOMMENDATIONS: Recommend approval

Laura S. Hill
10/4/06

Financial impact? () Yes (X) No

Funding Source: () Gen Fund () Other

BUDGET SUMMARY:

Total Est. Cost _____
Funding
 Budgeted _____
 New Funding _____
 Savings _____
 Other _____
 Total Funding _____
 Change in Net County Cost _____

Other:

CAO Office Use Only:

4/5's Vote Required () Yes (X) No
 Change in Policy () Yes (X) No
 New Personnel () Yes (X) No

CONCURRENCES:

Risk Management _____
 County Counsel _____
 Other _____

***Explain**

BOARD ACTIONS:

Vote: Unanimous _____ Or

Ayes:

Noes:

Abstentions:

Absent:

I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors

Date: _____

Attest: Cindy Keck, Board of Supervisors Clerk

By: _____

**MAINTENANCE DIVISION:**

2441 Headington Road
Placerville CA 95667
Phone: (530) 642-4909
Fax: (530) 642-9238

RICHARD W. SHEPARD, P.E.
Director of Transportation

Internet Web Site:
<http://co.el-dorado.ca.us/dot>

MAIN OFFICE:

2850 Fairlane Court
Placerville CA 95667
Phone: (530) 621-5900
Fax: (530) 626-0387



September 22, 2006

Board of Supervisors
330 Fair Lane
Placerville, California 95667

**Title: Abandonment of Easement #2006-14;
Village "H" Unit No. 6A, Lot 122;
Iraj Pourarian**

Meeting Date: October 17, 2006 / District I / Supervisor: Rusty Dupray

Dear Members of the Board:

Recommendations:

The Department of Transportation recommends the Board of Supervisors:

1. Adopt the Resolution of Vacation.
2. Authorize the Chairman to sign the Resolution.

Reasons for Recommendations:

Public utilities and drainage easements, as shown on Village "H" Unit No. 6A final map which recorded in Book I of Subdivision Maps at Page 61, were irrevocably offered in perpetuity to the County of El Dorado in January of 2000. The Board of Supervisors accepted the public utilities easements and acknowledged but rejected drainage easements, in April of 2000.

An application has been submitted by Iraj Pourarian, requesting that the County of El Dorado Board of Supervisors vacate public utilities easements and to terminate and abandon the rejected offer for drainage easements, located on the side and rear boundary lines of Lot 122, identified as Assessor's Parcel Number 123-170-03, and being more particularly described in Exhibit A and depicted in Exhibit B of the attached Resolution.

The subject property is located on the on Gresham Drive, east of Silva Valley Parkway and north of Serrano Parkway, in El Dorado Hills. Said action is necessary to allow construction of improvements on the subject lot.

All utility companies that could be impacted by this vacation have provided the Department of Transportation with written notification that they have no facilities within the subject areas and have no objection to the proposed abandonment. All other existing easements will remain. The Department of Transportation's staff has reviewed the request and has no objection.

Fiscal Impact:

None.

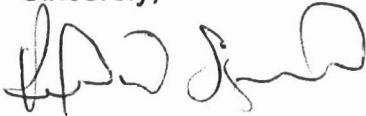
Net County Cost:

There is no net County cost.

Action to be Taken Following Approval:

- Said Resolution will be recorded.
A copy of the recorded Resolution will be sent to the property owner.
- A Certificate of Correction may be recorded.

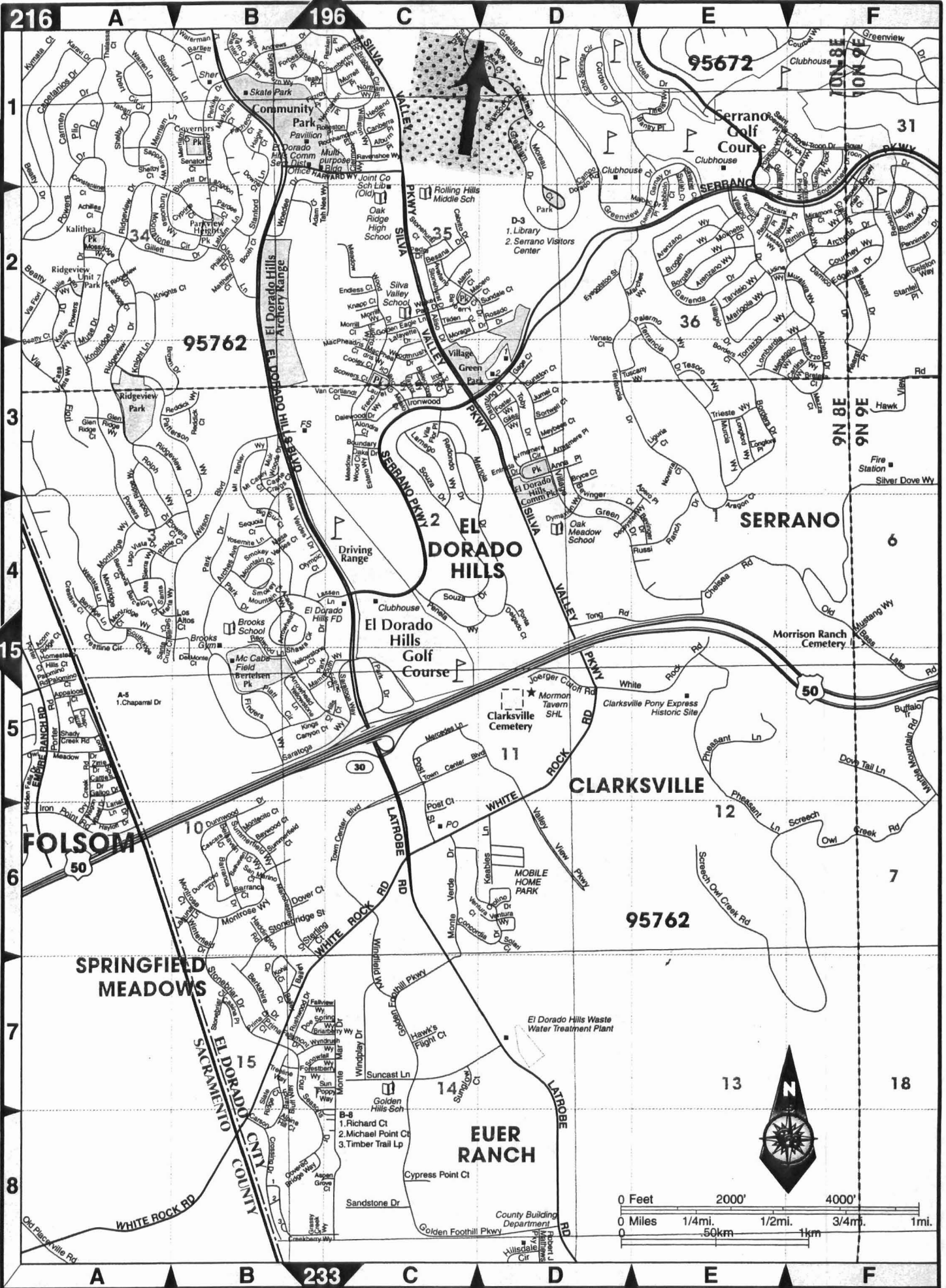
Sincerely,



Richard W. Shepard, P. E.
Director of Transportation

RWS: PF/dg

Attachment(s): Vicinity Map
Resolution
Exhibits



EL DORADO COUNTY

See Page



RESOLUTION NO. _____
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
Resolution of
Abandonment of Easement #2006-14
Village "H" Unit No. 6A, Lot 122
Assessor's Parcel Number 123-170-03
Iraj Pourarian

WHEREAS, the El Dorado County Board of Supervisors exercises the authority established by Section 8333 of the Streets and Highways Code, which authorizes the Board of Supervisors to summarily vacate public service easements by Resolution adopted in accordance with Section 8335 of the Streets and Highways code; and

WHEREAS, the El Dorado County Board of Supervisors exercises the authority established by Section 66477.2 of the Subdivision Map Act, which authorizes the Board of Supervisors to terminate and abandon Offers of Dedication for any streets, paths, alleys, public utility easements, rights-of-way, or storm drainage easements; and

WHEREAS, public utilities and drainage easements, as shown on the Village "H" Unit No. 6A final map, were irrevocably offered in perpetuity to the County of El Dorado in January of 2000, and

WHEREAS, the Board of Supervisors accepted said offer for public utilities easements, and acknowledged, but rejected said offer for drainage easements, in April of 2000; and

WHEREAS, said offer for drainage easements is irrevocable and shall remain open in perpetuity despite rejection of such offer by the County of El Dorado Board of Supervisors; and

WHEREAS, the Department of Transportation has received an application from Iraj Pourarian, requesting that the County of El Dorado vacate public utilities easements and to terminate and abandon the rejected offer for drainage easements, located on the rear and side boundary lines of the property identified as Assessor's Parcel Number 123-170-03; and

WHEREAS, Comcast, El Dorado Irrigation District, Pacific Gas & Electric and A. T. & T. have not used said public utilities easements for the purpose for which they were dedicated or acquired; and

WHEREAS, the above noted utility companies find no present or future need exists for said easements and do not object to their vacation; and

WHEREAS, all other existing easements will remain; and

WHEREAS, the Department of Transportation has determined that said easements herein described in Exhibit A and depicted in Exhibit B, and made a part hereof, have not been used for the purpose for which they were dedicated preceding the proposed vacation, and has no objection.

NOW, THEREFORE BE IT RESOLVED, that from and after the date this Resolution is recorded, said public utilities described in Exhibit A and depicted in Exhibit B, are vacated and no longer constitute public utilities easements.

FURTHER BE IT RESOLVED, that from and after the date this Resolution is recorded, said rejected offer for drainage easements described in Exhibit A and depicted in Exhibit B is terminated and abandoned and no longer constitutes an offer for drainage easements. In addition, a Certificate of Correction is hereby authorized to be signed and may be recorded by the County Surveyor.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the _____ day of _____, 2006, by the following vote of said Board:

ATTEST
CINDY KECK
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By _____

Deputy Clerk

James R. Sweeney, Chairman, Board of

Supervisors
I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE _____

ATTEST: CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California

By _____

Deputy Clerk

EXHIBIT "A"

**LEGAL DESCRIPTION
OF PORTIONS OF PUBLIC UTILITY & DRAINAGE EASEMENTS
TO BE ABANDONED
LOT 122
VILLAGE "H", UNIT NO. 6A, I-SUB-61**

Those certain side and rear Public Utility Easements, being a portion of Lot 122 as laid out and shown on the subdivision map entitled "Village "H", Unit No. 6A" filed in Book "I" of Subdivision Maps, at Page 61 of the El Dorado County Records; lying in section 26, Township 10 North, Range 8 East, Mount Diablo Meridian, County of El Dorado, State of California, and being more particularly described as follows:

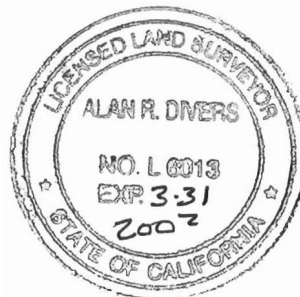
The southwesterly 10.00 feet of said lot 122 as measured at right angles in a northeasterly direction from the southwesterly (Rear) boundary line thereof;

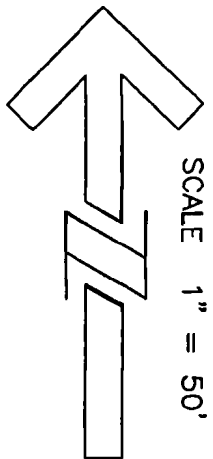
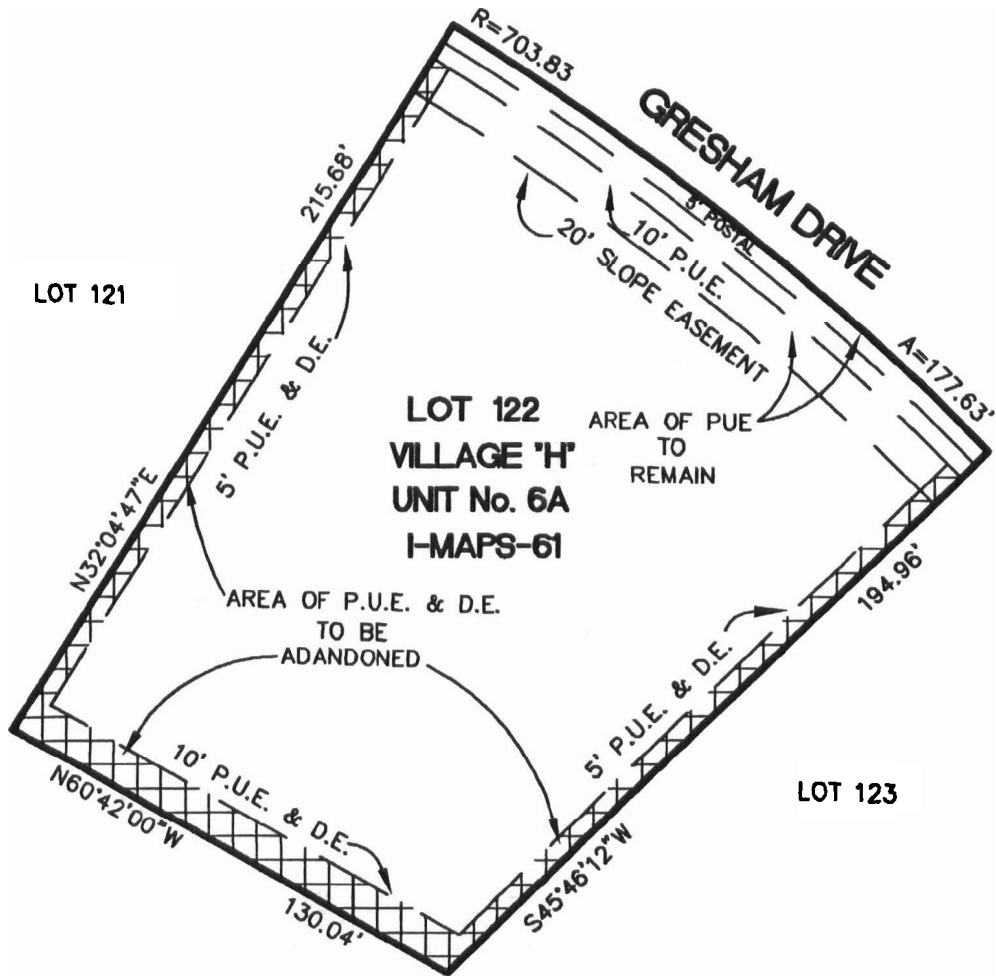
Together with the southeasterly 5.00 feet of said lot 122 as measured at right angles in a northwesterly direction from the southeasterly (Side) boundary line thereof, less the northeasterly 10.00 feet as measured radially in a southwesterly direction from the western Right of Way line of Gresham Drive as laid out and shown on the above mentioned subdivision map entitled "Village "H", Unit No. 6A";

Together with the northwesterly 5.00 feet of said lot 122 as measured at right angles in a southeasterly direction from the northwesterly (Side) boundary line thereof, less the northeasterly 10.00 feet as measured radially in a southwesterly direction from said western Right of Way line of said above mentioned Gresham Drive.

All said rear and portions of said side easements described above, to be abandoned, are as described in the owner's statement laid out and shown on said above mentioned subdivision map entitled "Village "H", Unit No. 2"


ALAN R. DIVERS, L-6013
MY LICENSE EXPIRES 3-31-2007





D.E. = DRAINAGE EASEMENT
 PUE = PUBLIC UTILITY EASEMENT

THIS MAP WAS PREPARED UNDER MY DIRECTION

Alan R. Divers 8-22-06

ALAN R. DIVERS, L-6013
 LICENSE EXPIRES 3-31-2007



06-77-06
 SCALE: 1"=50'
 JOB NUMBER: 06-77
 DWG NAME: EASEMENT



Alan R. Divers
 Professional Land Surveyor
 3363 PARDI WAY, PLACERVILLE
 CA. 95667 - (530) 642-1755

EXHIBIT 'B'
EASEMENT
ABANDONMENT