

**RECORDING REQUESTED BY:**

**Board of Supervisors**

08/11/2011,20110037494

**WHEN RECORDED MAIL TO:**

**Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667**

\*\*\*\*\*

SPACE ABOVE THIS LINE RESERVED FOR  
RECORDER'S USE

**TITLE (S)**

RESOLUTION 139-2011  
RESOLUTION OF VACATION  
Abandonment of Easement No. 2011-04  
Assessor's Parcel Number 090-462-23  
James K. Allsup and Loretta M. Allsup  
Trustees of the Allsup Family 2001 Trust



**RESOLUTION NO. 139-2011**

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**

**RESOLUTION OF VACATION**

**Abandonment of Easement No. 2011-04**

**Assessor's Parcel Number 090-462-23**

**James K. Allsup and Loretta M. Allsup**

**Trustees of the Allsup Family 2001 Trust**

**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**, on July 30, 1990, Seven Stars Land Company, Inc., irrevocably offered for dedication 5-foot wide public utilities easements located on the side lot lines of each lot shown on the final map of the Hacienda De Estrellas, Unit No. 2 subdivision, recorded in Book H at Page 29 of Subdivision Maps in the County of El Dorado Recorder's office; and

**WHEREAS**, on September 11, 1990, the County of El Dorado Board of Supervisors accepted said offer; and

**WHEREAS**, said offer is irrevocable and runs with the land; and

**WHEREAS**, Parcel Map 44-39 recorded in the County of El Dorado Recorder's office on April 15, 1993, revised the location of the common lot line of Parcel 1 and Parcel 2 (Lot 55 and Lot 56 in the Hacienda De Estrellas, Unit No. 2 subdivision) leaving one 10-foot wide public utilities easement along the old common lot line; and

**WHEREAS**, the Department of Transportation has received an application from James K. Allsup and Loretta M. Allsup Trustees of the Allsup Family 2001 Trust, the legal owners of Lot 55 in the Hacienda De Estrellas, Unit No. 2 subdivision, 4503 Rigel Court, Shingle Springs, requesting that the County of El Dorado vacate the subject easement located along the old common lot line of Lot 55 and Lot 56; and

**WHEREAS**, A T & T, Comcast, El Dorado Irrigation District, and Pacific Gas & Electric have not used said easement for the purpose for which it was dedicated or acquired; and

**WHEREAS**, the above noted utility companies find no present or future need exists for said easement, do not object to its vacation, and have provided approval letters to the Department of Transportation; and

**WHEREAS**, the Department of Transportation has determined that said easement herein described in Exhibit A and depicted on Exhibit B and made a part hereof has not been used for the purpose for which it was dedicated preceding the proposed vacation, and has no objection; and

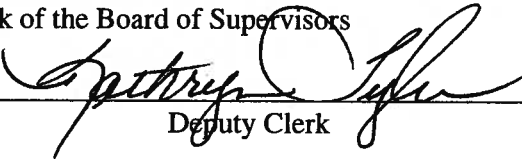
**WHEREAS**, all other existing easements shall remain.

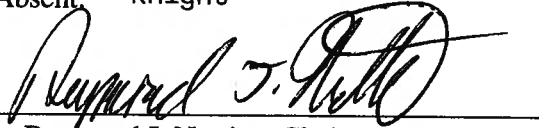
**NOW, THEREFORE, BE IT RESOLVED**, that from and after the date this Resolution is recorded, said offer for said easement, described in Exhibit A and depicted on Exhibit B, is abandoned and no longer constitutes an offer for an easement for public utilities purposes. In addition, a Certificate of Correction 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 the 9 day of August, 2011, by the following vote of said Board:

Attest:  
Suzanne Allen de Sanchez  
Clerk of the Board of Supervisors

Ayes: Sweeney, Briggs, Nutting, Santiago  
Noes: none  
Absent: Knight

By:   
Deputy Clerk

  
Raymond J. Nutting, Chair  
Board of Supervisors

I CERTIFY THAT:  
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Clerk

## **EXHIBIT "A"**

### **Abandonment of Public Utilities Easement Description of Easement area**

**All that real property situated in the County of El Dorado, State of California described as follows:**

**A portion of the Southwest quarter of Section 6, Township 9 North, Range 10 East, M.D.M. more particularly described as follows:**

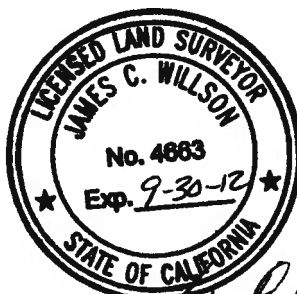
**A ten foot wide public utilities easement lying five feet on each side to the Northwesterly boundary common to lots 55 and 56 shown on that certain subdivision map entitled "HACIENDA DE ESTRELLAS, UNIT NO. 2" filed September 19, 1990 in book H, at page 29 in the El Dorado County Recorder's Office, State of California, and said boundary being delineated as N47° 14' 13" E 258.15'. Said easement is also delineated on that certain Parcel Map filed September 23, 1996 in book 45, of Parcel Maps at page 145 in said El Dorado County Recorder's Office.**

**EXCEPTING THEREFROM all that portion lying west of a line that is parallel with, five feet East of and measured perpendicularly to the Westerly boundary of said Lot 55, being delineated as N07° 15' 25"W 25.00', and all that portion lying east of a line that is parallel with, ten feet West of and measured perpendicularly to the Easterly boundary of said Lot 55, being delineated as S05° 21' 21"W 52.43'.**

**END DESCRIPTION**

**See attached Exhibit "B"**

**This legal description was prepared by James C. Willson, LS 4663 for James Allsup, and is for the purpose of abandoning the public utilities easement that was created over the herein described strip of land with the filing of said subdivision plat.**



*James C. Willson*  
5-23-11

# EXHIBIT B

A PORTION OF PARCEL 1 OF PM 45-145  
ALSO BEING A PORTION OF LOTS 55 AND 56  
OF SUBDIVISION H-29  
ALSO BEING A PORTION OF THE SW 1/4  
SEC. 6, T. 9 N., R. 10 E., M.D.M.



LOT 12  
SUB G-101

PARCEL 2  
PM 45-145

5' PUBLIC UTILITIES EASEMENT PER  
PM 45-145

10' PUBLIC UTILITIES  
EASEMENT ALONG OLD  
LOT LINE COMMON TO  
LOTS 56 AND 55 OF  
SUB H-29.  
TO BE ABANDON

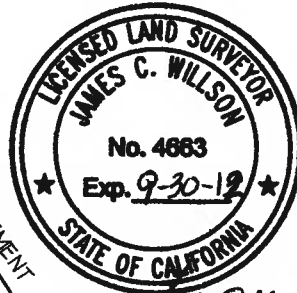
LOT 13  
SUB G-101

10' PUBLIC UTILITIES EASEMENT  
PER SUB H-29

PARCEL 1  
PM 45-145

20' PUBLIC UTILITIES EASEMENT  
PER SUB H-29

RIGAL COURT



*James C. Willson*  
5-23-11