



RESOLUTION NO. 067-2011
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Jacquier Road, Jacquier Road cutoff Utility Relocation

WHEREAS, Jacquier Road and the Jacquier Road cutoff, as depicted in Exhibit A hereto, have been public right-of-way since the 1800s; and

WHEREAS, in 1922, in order to secure the underlying fee to Jacquier Road, the Jacquier Road cutoff, and the surrounding area, the County of El Dorado ("County") acquired Assessor's Parcel Number 048-290-04 (the "Subject Parcel") from Arthur S. Lyon; and

WHEREAS, since the County's acquisition of the Subject Parcel in 1922, the County has used and maintained that parcel, and continues to use and maintain that parcel, as a public road right-of-way; and

WHEREAS, the City of Placerville is preparing to construct the Point View Drive Extension Project, which will widen and realign Point View Drive to connect with Jacquier Road; and

WHEREAS, Pacific Gas & Electric maintains a power pole and electrical lines on the northernmost corner of the Subject Parcel, which must be relocated to accommodate the above-referenced project; and

WHEREAS, Public Utility Code section 6297 requires that an electrical franchisee, such as Pacific Gas & Electric, remove or relocate without expense to the municipality any facilities installed, used, and maintained under the franchise when such removal or relocation is made necessary by any lawful change of grade, alignment, or width of any public street; and

WHEREAS, despite repeated requests to do so, Pacific Gas & Electric refuses to relocate its facilities on the Subject Parcel without expense to either the County or the City of Placerville.

NOW, THEREFORE BE IT RESOLVED, in order to affirm the County's historic and continued use and maintenance of the Subject Parcel, the County of El Dorado Board of Supervisors hereby resolves as follows:

That the Subject Parcel has been, since its acquisition by the County, and continues to be used and maintained for the sole purpose of a public road right-of-way; and

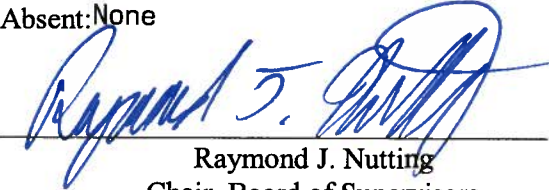
That any utility facilities installed or maintained on the Subject Parcel pursuant to a utility's franchise rights must be removed or relocated at the utility's sole cost and expense when such removal or relocation is made necessary by a lawful change of grade, alignment, or width of any public street, in accordance with the utility's franchise agreement and Public Utility Code section 6297.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 26 day of April, 2011, by the following vote of said Board.

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

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

By: 
Deputy Clerk


Raymond J. Nutting
Chair, Board of Supervisors