

**EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL
Meeting of October 31, 2006**

AGENDA TITLE: Abandonment of Easement #2006-16; PM #22/54, Parcel 1; Raymond J. Gemmet, Trustee under Declaration of Trust dated January 22, 1990

DEPARTMENT: Transportation

DEPT SIGNOFF:

CAO USE ONLY:

CONTACT: Deborah Gruber

DATE: 10/03/06

PHONE: XT 6519/5982

[Handwritten Signature]

[Handwritten Signature] 10/19/06

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 vacate a sewer easement located diagonally across Parcel 1 of Parcel Map #22/54, also identified as Assessor's Parcel Number 331-111-06, as requested by Raymond J. Gemmet, Trustee under Declaration of Trust dated January 22, 1990. Said action is necessary to accommodate planned construction of improvements on the subject lot.
2. Authorize the Chairman to sign the Resolution.

CAO RECOMMENDATIONS: Recommend approval. *Laura A. Gill* 10/20/06

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



October 3, 2006

Board of Supervisors
330 Fair Lane
Placerville, California 95667

**Title: Abandonment of Easement #2006-16;
PM #22/54, Parcel 1;
Raymond J. Gemmet, Trustee under Declaration of Trust dated January 22,
1990**

Meeting Date: October 31, 2006 / District III / Jack Sweeney

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:

A sewer easement, as shown on PM #22/54, was dedicated by deed recorded in Book 735 at Page 112 of the Official Record of the County of El Dorado in March of 1965, and accepted by the Board of Supervisors in March of 1965.

An application has been submitted by Raymond J. Gemmet, Trustee under Declaration of Trust dated January 22, 1990, requesting that the County of El Dorado Board of Supervisors vacate said sewer easement situated diagonally across Parcel 1, identified as Assessor's Parcel Number 331-111-06. Said easement is more particularly described in Exhibit "A" and depicted in Exhibit "B" of the attached Resolution.

The subject property is located north of the intersection of North Street and Oriental Street, east of El Dorado Road, and north of Pleasant Valley Road, in the Townsite of El Dorado. Said action is necessary to accommodate planned construction of improvements on the subject lot.

El Dorado Irrigation District has provided the Department of Transportation with written notification that they have no facilities within the subject area 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.

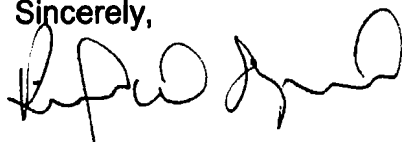
Net County Cost:

There is no net County cost.

Action to be Taken Following Approval:

1. Said Resolution will be recorded.
2. A copy of the recorded Resolution will be sent to the property owners.
3. A Certificate of Correction may be recorded.

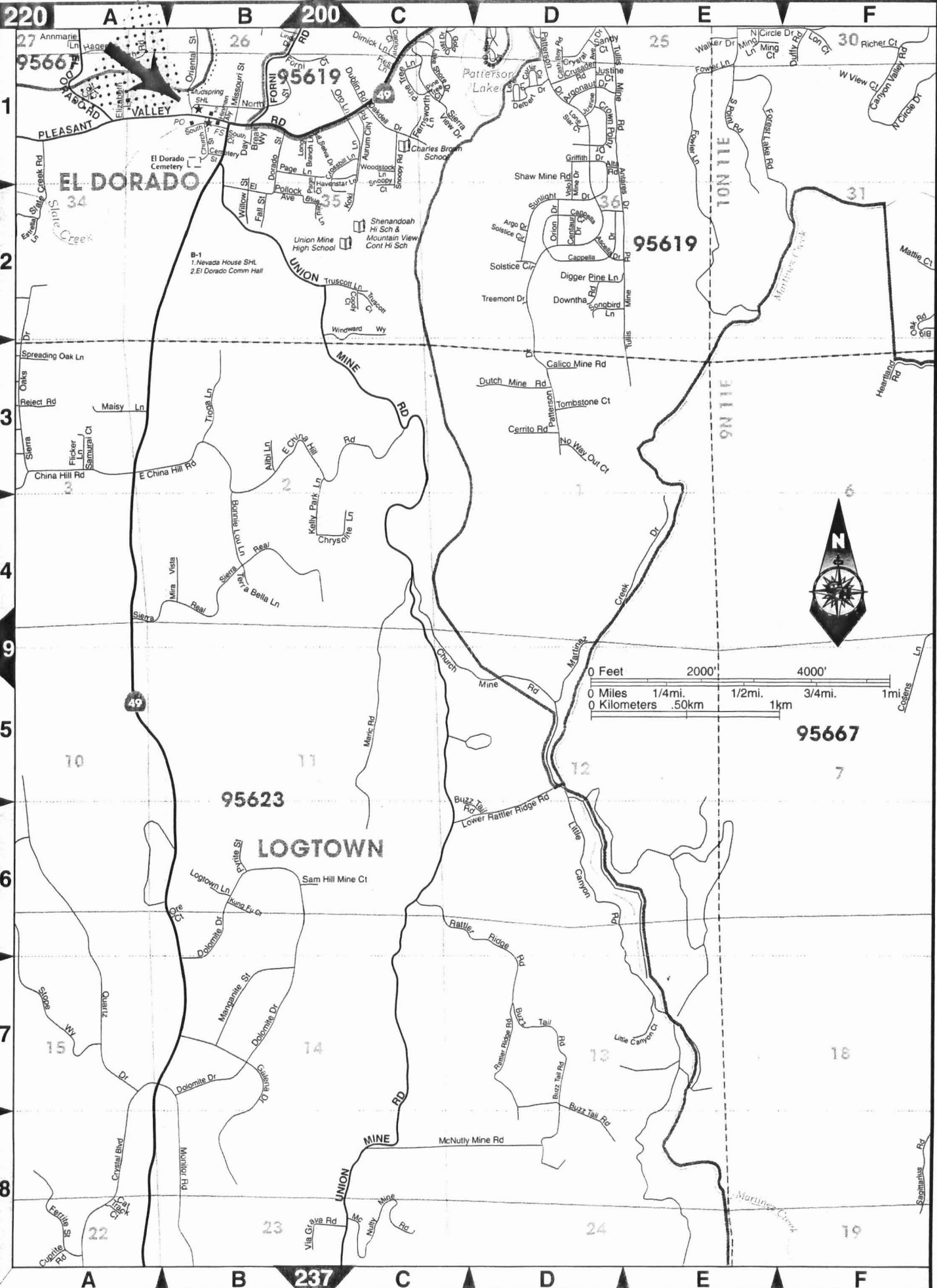
Sincerely,



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

RWS: PF/dg

Attachment(s): Vicinity Map
Resolution
Exhibits



EL DORADO COUNTY

See Page 219

See Page



RESOLUTION NO. _____
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
Resolution of

Abandonment of Easement #2006-16
PM #22/54, Parcel 1

Raymond J. Gemmet, Trustee under Declaration of Trust dated January 22, 1990

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, a sewer easement, as shown on PM #22/54, was dedicated by deed which recorded in Book 735 at Page 112 of the Official Record of the County of El Dorado in March of 1965, and accepted by the Board of Supervisors in March of 1965; and

WHEREAS, the Department of Transportation has received an application from Raymond J. Gemmet, Trustee under Declaration of Trust dated January 22, 1990, requesting that the County of El Dorado vacate the sewer easement located diagonally on Parcel 1; and

WHEREAS, El Dorado Irrigation District, has not used said easement for the purpose for which it was dedicated or acquired; and

WHEREAS, the above noted utility company find no present or future need exists for said easement and does not object to its vacation; and

WHEREAS, all other existing easements will remain; and

WHEREAS, the Department of Transportation has determined that said easement herein described in Exhibit A and depicted in 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.

NOW, THEREFORE BE IT RESOLVED, that from and after the date this Resolution is recorded, said sewer easement described in Exhibit A and depicted in Exhibit B is vacated and no longer constitutes a sewer easement.

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"

All that certain real property situate in the unincorporated area of the County of El Dorado, being portions of Lots 6 & 7, Block 1, of the Townsite of El Dorado, and being more specifically a portion of **Parcel 1** of that certain map on file in the office of the El Dorado County Recorder in **Book 22 of Parcel Maps at Page 54**, more particularly described as follows:

A strip of land the uniform width of (15') fifteen feet lying (7-1/2') seven and one-half feet measured at right angles on each side of the following described centerline:

Beginning at a point on the Easterly line of said Parcel 1, from point the Northeast corner of said Parcel 1 bears North 04°19'30" East 63.49 feet; thence from said POINT OF BEGINNING South 36°20'18" West 438.47 feet (cite: 438.47 feet, more or less to a point on the Westerly line of said lands) to the TERMINUS of said centerline from which point the most Westerly corner of said lands bears North 56°10'14" West 121.52 feet (cite: North 10°24' West 32.42 feet).

The side lines of said strip of land shall extend or shorten to intersect with the appropriate end lines.

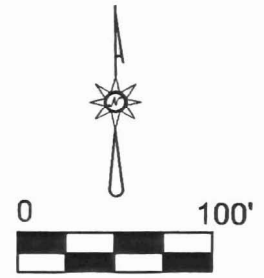
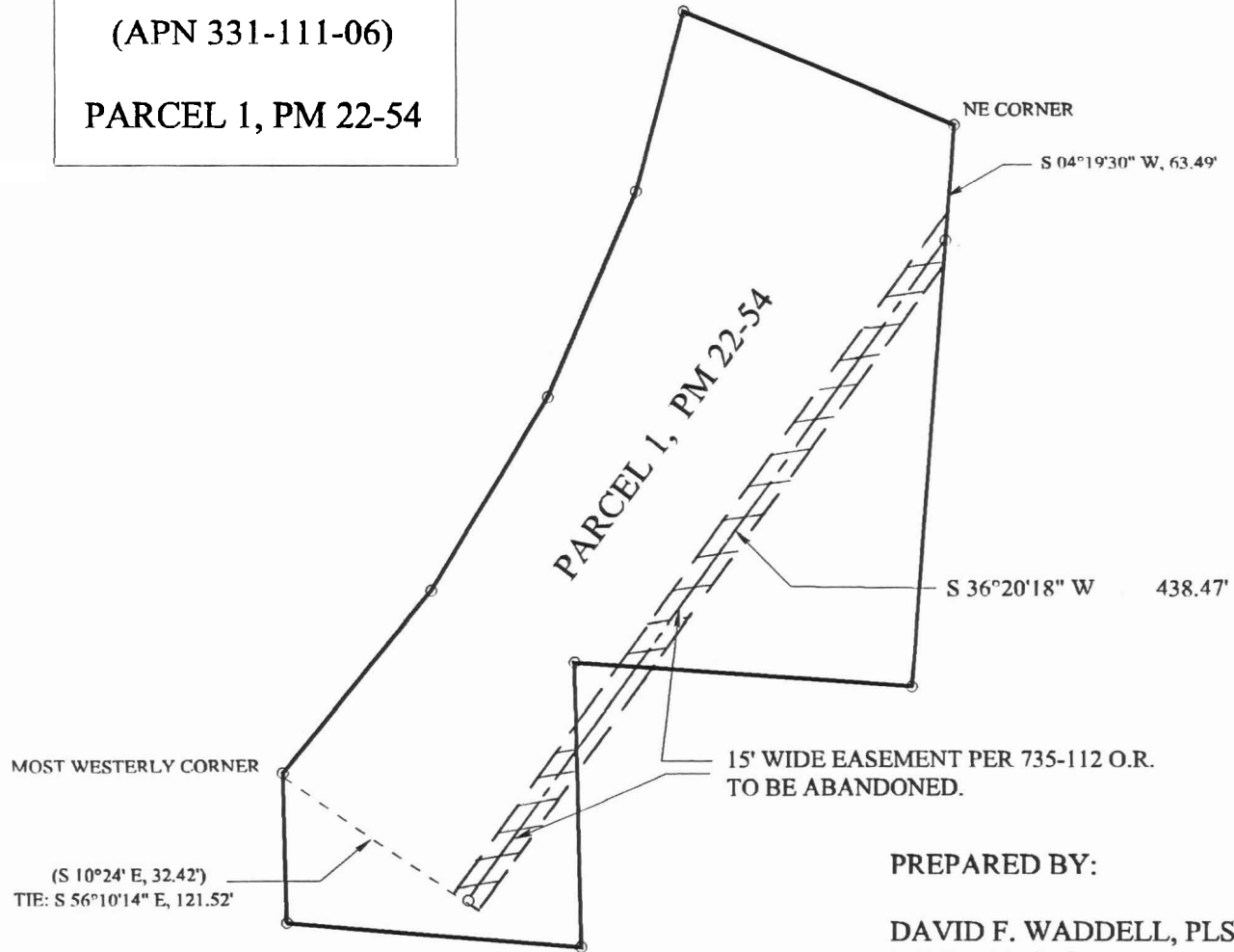
See Exhibit "B", attached.

06-60

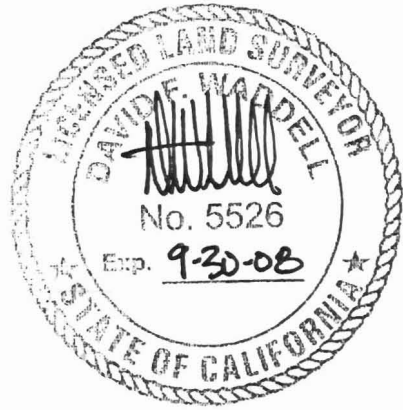


EXHIBIT "B"

(APN 331-111-06)
PARCEL 1, PM 22-54



PREPARED BY:
DAVID F. WADDELL, PLS
LAND SURVEYOR
5481 GRASSY RUN ROAD
PLACERVILLE, CA 95667



(530) 676-0963