



RESOLUTION NO. _____
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
RESOLUTION OF VACATION

Abandonment of Easement #08-0002
Tahoe Paradise Unit No. 45, Lot 98
Assessor's Parcel Number 034-665-17

Teresa J. Winchester, Trustee, or successor in trust under the Teresa J. Winchester Living Trust dated July 26, 2006, and Laura Silvius, Trustee, or successor in trust under the Laura Silvius Living Trust dated July 26, 2006

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, public utility easements, as shown on the Tahoe Paradise Unit No. 45 final map, were irrevocably offered in perpetuity to the County of El Dorado and accepted by the Board of Supervisors in November of 1964; and

WHEREAS, the Department of Transportation has received an application from Teresa J. Winchester, Trustee and Laura Silvius, Trustee, owners of Lot 98, identified as Assessor's Parcel Number 034-665-17, requesting that the County of El Dorado vacate a public utility easement located along the front 20 feet of said lot to accommodate an existing carport situated within said easement; and

WHEREAS, the South Lake Tahoe Division of the Department of Transportation has completed a site review to find that no present or future need exists for said easement; and

WHEREAS, Charter Communications, Sierra Pacific Power Company, Southwest Gas Corporation, and South Tahoe Public Utility District have not used said easement for the purpose for which it was dedicated or acquired, and find that no present or future need exists for said easement, and do 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 by reference is 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 public utility easement described in Exhibit "A" and depicted in Exhibit "B" is vacated and no longer constitutes a public utility easement. A Notice of Deed Restriction and Covenant to Indemnify the County Of El Dorado will be recorded. 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 _____, 2008, by the following vote of said Board:

ATTEST
Cindy Keck
Clerk of the Board of Supervisors
By _____

Ayes:
Noes:
Absent:

Deputy Clerk

Rusty Dupray, 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