



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

RESOLUTION OF VACATION
General Vacation #07-0001
Shinn Ranch Road and Fine Court
Thomas Edson Shinn and Linda Lou Fine

WHEREAS, on December 27th, 2006 the County accepted the roads and public utilities easements as shown on Parcel Map #49/110; and

WHEREAS, on April 12, 2007 the County of El Dorado Planning Commission held a public hearing on Thomas E. Shinn's application for Special Use Permit S06-0013, for the installation of a electronic security gate across Shinn Ranch Road; and

WHEREAS, Section 8313 of the Streets and Highways Code provides that the County consider the County's General Plan prior to vacating the road or public utility easement; and

WHEREAS, the Planning Commission found the proposed abandonment of the dedicated road and public utility easements described hereinabove consistent with the El Dorado County General Plan, but required the gates to remain open by and until the Board of Supervisors takes action on and approves the general vacation of the roads and public utilities easements described herein. However, in the event the general vacation is not approved, the special use permit shall become null and void; and

WHEREAS, in October of 2007, the Department of Transportation received an application for the General Vacation of Shinn Ranch Road and Fine Court, as described in Exhibit A and depicted in Exhibits B-1 and B-2, from Thomas Edson Shinn, and the adjacent property owners have consented to the gating and vacation of said roadway; and

WHEREAS, the Department of Transportation has received written communication from A T & T, Comcast, El Dorado Irrigation District and P G & E, indicating they have no objection to the proposed vacation as long as certain exceptions and reservations from the vacation are made; and

WHEREAS, all public utility easements shall be reserved and excepted from said vacation, if approved; and

WHEREAS, in accordance with the requirements of Streets and Highways Code § 8320(b) et seq., on February 26, 2008, the Board of Supervisors adopted a Resolution of Intention to Vacate Shinn Ranch Road and Fine Court, and established the date for a public hearing on April 1, 2008; and

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WHEREAS, in accordance with the requirements of the Streets and Highways Code § 8322(a) et seq., the Clerk of the Board of Supervisors published notices of said public hearing two (2) weeks prior to said hearing; and

WHEREAS, in accordance with the requirements of Streets and Highways Code § 8323 et seq., Department of Transportation staff posted notices of said hearing on March 10, 2008; and

WHEREAS, the Department of Transportation staff mailed notices of said hearing to all affected property owners and interested parties; and

WHEREAS, the Department of Transportation has reviewed the proposed vacation of Shinn Ranch Road and Fine Court and has no objection to said vacation.

NOW, THEREFORE BE IT RESOLVED that the County of El Dorado Board of Supervisors, pursuant to Section 8320, et seq. of the Streets and Highways Code, declares that from and after the date this Resolution is recorded, said roadway described in Exhibit A and depicted in Exhibits B-1 and B-2 are hereby vacated and no longer constitute a public roadway.

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

Ayes:
Noes:
Absent:

By _____
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