



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 08-1804      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 12/3/2008      **In control:** Board Of Supervisors

**On agenda:** 1/13/2009      **Final action:** 1/13/2009

**Title:** Transportation Department recommends the Board of Supervisors adopt Resolution ###, Abandonment of Easement #08-0012; The Promontory Village No. 4, Lot 109; APN #124-210-10, Jeffrey C. Kerns, vacating the Storm Drain Easement located in the westerly portion and running north and south through Lot 109, Supervisorial District I.  
RECOMMENDED ACTION: Approve

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Vicinity Map, 2. AOE 08-0012 Resolution, 3. Exhibits Lot 109

Date	Ver.	Action By	Action	Result
1/13/2009	1	Board Of Supervisors	Approved	Pass

Transportation Department recommending adoption of Resolution **009-2009** Abandonment of Easement 08-0012; The Promontory Village No. 4, Lot 109; APN 124-210-10, Jeffrey C. Kerns, vacating the Storm Drain Easement located in the westerly portion and running north and south through Lot 109, Supervisorial District I.

**RECOMMENDED ACTION:** Approve.

BUDGET SUMMARY:		
Total Estimated Cost		\$0
Funding		
Budgeted	\$	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$	
Change To Net County Cost		\$0

**Fiscal Impact/Change to Net County Cost:**  
None. There is no net County cost.

**Background:**

The former owners of Lots 108 and 109 of Promontory Unit No. 4 dedicated Storm Drain Easements to the County of El Dorado for purposes of conducting storm water runoff through the designed drainage system. Although the Storm Drain Easement was determined to be sufficiently transmitting the runoff, the configuration of the Storm Drain Easement across the westerly portion of the

contiguous Lot 109 prevented the property owner's proposed development of that Lot, and, as such, requires the re-configuration and replacement of those drainage facilities. There are two Abandonment of Easements and two replacement Irrevocable Offers of Dedication for Lots 108 and 109.

**Reason for Recommendation:**

Public utility and drainage easements, as shown on The Promontory Village No. 4 final map recorded in Book J of Subdivision Maps at Page 38, were irrevocably offered in perpetuity to the County of El Dorado and accepted in August of 2004, except the drainage easements, which were acknowledged but rejected. Subsequently, additional Storm Drain Easements were irrevocably offered for dedication by separate documents recorded in the County Recorder's office of said County as Document No. 2006-38863 in June of 2006, and Document No. 2007-0022075 in April of 2007, affecting Lots 108 and 109; and Document No. 2006-57025 in August of 2006, which added Storm Drain Easements to Lots 124, 125 and 126, contiguous to Lots 108 and 109 at the rear of those lots.

An application has been submitted by Jeffrey C. Kerns, owner of Lot 109, requesting that the County of El Dorado Board of Supervisors vacate one ten-foot wide Storm Drain Easement located across the westerly portion of said lot and running in a north to south direction through Lot 109, also identified as Assessor's Parcel Number 124-210-10, and being more particularly described in Exhibit A and depicted in Exhibit B of the attached Resolution.

The subject property is located on Suffolk Way, south of Green Valley Road, west of El Dorado Hills Boulevard, and just east of the Sacramento-El Dorado County line, in El Dorado Hills. Said action is necessary due to the installation of new drainage facilities on the subject lot.

The Department of Transportation's staff has reviewed the request and has no objection to this abandonment provided a replacement Storm Drain Easement is concurrently offered in dedication. All other existing easements will remain.

**Action to be taken following Board approval:**

- 1) The herein referenced Resolution will be recorded.
- 2) Copies of the recorded Resolution will be sent to the property owner.
- 3) A Certificate of Correction may be recorded.

District/Supervisor: District I / John Knight

Contact: Richard W. Shepard, P. E.  
Director

Concurrences: