



## Legislation Details (With Text)

**File #:** 10-0071 **Version:** 1  
**Type:** Agenda Item **Status:** Adopted  
**File created:** 1/22/2010 **In control:** Board of Supervisors  
**On agenda:** 2/23/2010 **Final action:** 2/23/2010  
**Title:** Transportation Department requesting the Board adopt Resolution acknowledging, but rejecting the Irrevocable Offer of Dedication (2010-03) for a drainage easement from Brian D. Fisher and Leslie L. Fisher located on Eastwood Park Unit No. 5, Lot 26, on property identified as APN 070-410-38, in Cameron Park area.  
Resolution 019-2010

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - VicinityMap.pdf, 2. B - IOD 2010-03 Resolution.pdf, 3. C - IOD 2010-03.pdf, 4. Fully Executed Resolution 019-2010

Date	Ver.	Action By	Action	Result
2/23/2010	1	Board Of Supervisors	Adopted	Pass

Transportation Department requesting the Board adopt Resolution acknowledging, but rejecting the Irrevocable Offer of Dedication (2010-03) for a drainage easement from Brian D. Fisher and Leslie L. Fisher located on Eastwood Park Unit No. 5, Lot 26, on property identified as APN 070-410-38, in Cameron Park area.

### Resolution 019-2010

Fiscal Impact/Change to Net County Cost: None. There is no net cost to the County General Fund associated with this agenda item.

### Reason for Recommendation:

On June 17, 2003, an Abandonment of Easement application was submitted to the Department, requesting that various public utilities and drainage easements located on the common boundary line of Lots 26 and 35, within the Eastwood Park Unit #5 subdivision, be abandoned. Said request was made in order to accommodate a boundary line adjustment and construction of planned improvements on the subject properties.

Department Right of Way staff reviewed said request, and based on letters of approval from the public utilities companies for the public utilities easements, and an approval memo from Development Services Department staff for the drainage easement, recommended that the County of El Dorado Board of Supervisors approve and adopt a Resolution of Vacation. Said Resolution was approved and adopted on July 8, 2003 and recorded on July 9, 2003.

Subsequently, it was determined that the drainage portion of the easement located on Lot 26 should not have been abandoned. The property owners were contacted and made aware of the error. The property owners agreed to execute an Irrevocable Offer of Dedication to be processed after the boundary line adjustment and construction of improvements were completed. The boundary line

adjustment has been completed, and the permit for a swimming pool has since been finalized.

An Irrevocable Offer of Dedication for a drainage easement to the County of El Dorado has been submitted to the Department by Brian D. Fisher and Leslie L. Fisher. Said drainage easement is located on Eastwood Park Unit #5, Lot 26, the property identified as Assessor's Parcel Number 070-410-38, and being more particularly described and depicted in Exhibits A and B, attached to said offer.

Said offer is necessary in order to accommodate the original drainage swale, which exists in its same location. Said offer is irrevocable and runs with the land. The Department has reviewed said offer and recommends that the Board adopt the Resolution acknowledging, but rejecting said offer, at this time.

Action to be taken following Board approval:

1. Said Resolution and attachments will be recorded by the Board Clerk.
2. A copy of the recorded Resolution and attachments will be sent to the property owners by Department of Transportation Right of Way staff.
3. A certificate of correction, modification or amendment may be recorded by the Surveyor's office.

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