

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of _____, 2023

RESOLUTION NO. 23-__

RESOLUTION TO SUMMARILY VACATE A PORTION OF THE PUBLIC UTILITY EASEMENT ADJACENT TO KRISTEN WAY (4L851) IN MCKINLEYVILLE

WHEREAS, a California Streets and Highways Code Section 8333 allows the legislative body of a County to summarily vacate a public service easement when such easement been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement; and

WHEREAS, a public utility easement is considered a public service easement; and

WHEREAS, a twenty-five (25) foot public utility easement, shown as Parcel "J", was established on Tract No. 388, filed in Book 20 of Maps, pages 96-98, in the Office of the Humboldt County Recorder; and

WHEREAS, Parcel "J" is more particularly described on said Tract No. 388 as "Parcel J (25-foot-wide access and utility easement), as shown hereon, is a non-exclusive easement for ingress, egress, and for public utilities created by this map".

WHEREAS, that portion of Parcel "J" proposed for summary vacation as described in Exhibit "A" (legal description) and shown on Exhibit "B" (plat), both of which are attached hereto and made a part hereof by reference, has been determined to be excess; and

WHEREAS, Parcel "L", an existing public utility easement, overlaps a portion of Parcel "J" adjacent to Kristen Way; and

WHEREAS, Parcel "L" is to remain intact and no portion is proposed to be vacated; and

WHEREAS, that portion of Parcel "J" proposed for summary vacation does not contain any public utility infrastructure; and

WHEREAS, that portion of Parcel "J" proposed for summary vacation is not needed by public utility providers; and

WHEREAS, this summary vacation is made pursuant to the provisions of Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code, and specifically Section 8333(c); and

WHEREAS, the Planning and Building Department has found the proposed vacation does not conflict with the requirements of the subdivision map and is in conformance with the General Plan; and

WHEREAS, the summary vacation will have no significant environmental effect and is exempt from the California Environmental Quality Act (CEQA) as per the provisions in the Guidelines for Implementation of CEQA (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15305);

NOW, THEREFORE, BE IT RESOLVED that the County of Humboldt Board of Supervisors:

1. Finds that all of the recitations contained hereinabove are true and correct.
2. The summary vacation of that portion of Parcel "J" as described in Exhibit "A" (legal description) and shown on Exhibit "B" (plat) has been determined to be excess by the Department of Public Works.
3. There are no public utilities in the area proposed for summary vacation.
4. The summary vacation does not vacate any portion of Parcel "L".
5. No public utility provider needs any portion of the area proposed for summary vacation.
6. The summary vacation is made pursuant to the provisions of Section 8333(c) of the California Streets and Highways Code.
7. The Planning and Building Department has found the proposed vacation does not conflict with the requirements of the subdivision map and is in conformance with the General Plan.
8. The summary vacation does not have a significant environmental effect and is exempt from CEQA as per the provisions in the Guidelines for Implementation of CEQA, California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15305.
9. Said portion of public utility easement is hereby ordered vacated.
10. From and after the date of recordation of this resolution, said public utility easement as described in Exhibit "A" (legal description) and shown on Exhibit "B" (plat), will no longer constitute a public utility easement.
11. Direct the Clerk of the Board to record in the office of the Humboldt County Recorder, a certified copy of the Resolution via the Land Use Division.

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Dated: _____, 2023

STEVE MADRONE, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor _____, seconded by Supervisor _____, and the following vote:

AYES: Supervisors --
NAYS: Supervisors --
ABSENT: Supervisors --
ABSTAIN: Supervisors --

STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

By NIKKI TURNER
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

EXHIBIT "A"
LEGAL DESCRIPTION
For
Vacation of Northerly Five Feet of Parcel J
as dedicated on Tract No. 388
Book 20 Maps, Pages 96-98
Humboldt County Records

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HUMBOLDT,
STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

THE NORTHERLY FIVE FEET OF PARCEL "J", PARCEL "J" BEING A 25 FOOT WIDE NON-
EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, AND PUBLIC UTILITY PURPOSES LYING
NORTH OF THE MOST SOUTHERLY LINE OF THE REMAINDER PARCEL SHOWN AND
DEDICATED ON TRACT MAP NO. 388, RECORDED OCTOBER 6, 1992 IN BOOK 20 OF MAPS,
PAGES 96-98, HUMBOLDT COUNTY RECORDS.

PLAT DEPICTING THE VACATION OF THE 5 FOOT PORTION OF EASEMENT BEING VACATED
AS DESCRIBED ABOVE IS SHOWN ON THE PLAT "EXHIBIT B", ATTACHED HERETO AND MADE
A PART HEREOF.

END OF DESCRIPTION

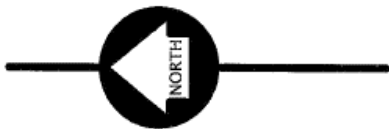
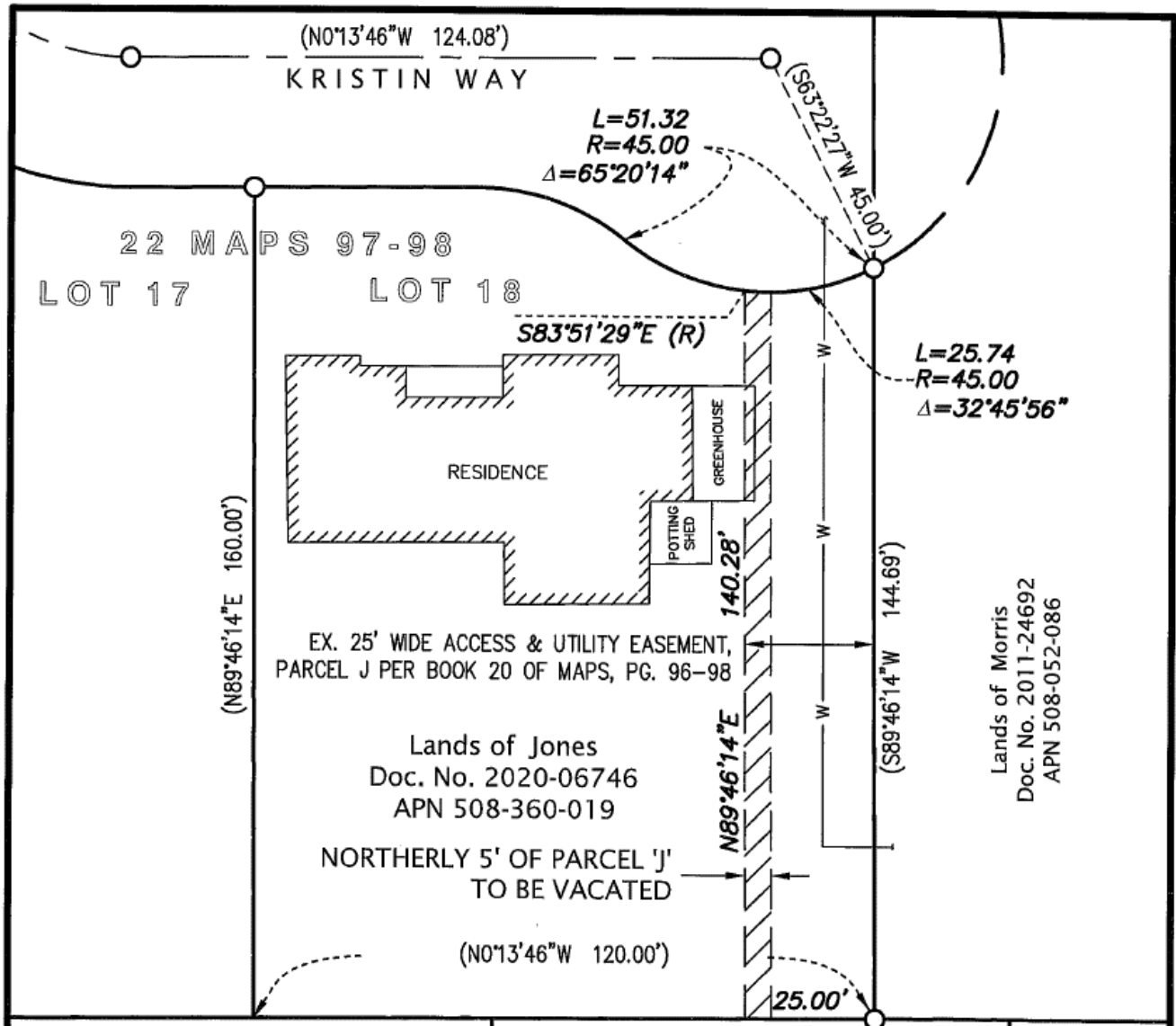


A handwritten signature in blue ink that reads "David A. Crivelli". The signature is written in a cursive style and is positioned above a horizontal line.

David A. Crivelli

PLS 7015

4/10/23



○ FOUND RECORD SURVEY MONUMENT

Lands of Simas Trust
Doc. No. 2007-12032
APN 508-052-053

EXHIBIT B

Vacation of North 5 Ft.
Parcel J - 20 Maps, Pgs. 96-98

Lands of Jones - 1629 Kristin Way

NW 1/4 SECTION 8, T6N, R1E,
HUMBOLDT MERIDIAN

IN THE UNINCORPORATED AREA OF MCKINLEYVILLE,
HUMBOLDT COUNTY, STATE OF CALIFORNIA

Date: April 2023

SCALE: 1" = 30'

SHEET 1 OF 1



POINTS WEST SURVEYING CO.

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