Resolution No. 2014-05-06-1207

STOCKTON CITY COUNCIL

RESOLUTION AUTHORIZING SUMMARY VACATION AND ABANDONMENT OF A DRAINAGE EASEMENT LOCATED IN THE SIERRA VISTA HOUSING PROJECT

The drainage easement (more particularly described in the map and legal description attached hereto as Exhibits 1 and 2 and incorporated herein by this reference), which is to be summarily vacated and abandoned by this resolution, is vested in Housing Authority of the County of San Joaquin; and

The proposed abandonment area is eligible for consideration as a summary vacation pursuant to Streets and Highways Code section 8333 without the requirement of a public hearing; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. This action is taken pursuant to Chapter 4 of Part 3 of the California Streets and Highways Code section 8330, et seq., the Summary Vacation Procedure of the Public Streets, Highways, and Service Easements Vacation Law.

2. It is hereby found and determined that the subject property meets the criteria set forth in the Streets and Highways Code section 8333:

   The legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

3. The summary vacation and abandonment of the drainage easement, more particularly described in the attached Exhibits 1 and 2, is authorized and approved and hereby declared abandoned.

4. Recordation of a certified copy of this resolution is hereby authorized, with the effective date of the vacation of the above-described area to be the date of recordation of the certified copy of this resolution in the land records office of San Joaquin County, and, on said date, the subject abandonment area shall no longer constitute a street pursuant to the provisions of the Streets and Highways Code section 8336.
5. Fee title to the abandonment area is vested in:

Housing Authority of the County of San Joaquin

6. All City departments and local utilities have been notified and there are no objections to the proposed abandonment.

7. In accordance with Section 65402 of the Government Code, this project/activity has been determined to conform to the City's General Plan Policy Document, as amended.

8. This project is statutorily exempt under the State CEQA Guidelines as specified in Section(s) 15301, Class 1 of the State CEQA Guidelines.

9. The City Manager is hereby authorized to execute the documents necessary, if any, to carry out the purposes hereof.

PASSED, APPROVED and ADOPTED ________ May 6, 2014 ____________

ANTHONY SILVA, Mayor
of the City of Stockton

ATTEST:

BONNIE PAIGE
City Clerk of the City of Stockton
30' WIDE DRAINAGE ESMT. PER 11-M&P-158 TO BE ABANDONED

CITY OF STOCKTON
DEPARTMENT OF PUBLIC WORKS
LEGAL DESCRIPTION

PORTION OF THE 30' WIDE DRAINAGE EASEMENT
TO BE ABANDONED

A portion of that 30.00-foot wide Drainage Easement as shown on that certain map of Tract No. 127, Subdivisions of San Joaquin County, Seven Oaks Unit No. 2, filed for record in Book 11 of Maps and Plats, Page 158, San Joaquin County Records, lying over and across that real property situate in the City of Stockton, San Joaquin County, State of California, lying within a portion of Sections 34 and 35 of the C.M. Weber Grant, "El Rancho Del Campo De Los Franceses", being more particularly described as follows:

All that portion of said 30.00-foot wide Drainage Easement, lying over and across the southerly portion of Lots 257 through 290 as shown on said map, lying 30.00 feet west (measured at right angles) of the east line of said Lot 257, also being the east line of said Tract No. 127, Subdivisions of San Joaquin County, Seven Oaks Unit No. 2.

All easements of record within the above-described 30' wide drainage easement abandonment shall remain.

A plat (Exhibit "B") showing the above described areas is attached hereto and made a part thereof.

Containing 0.529 acre, more or less.

Dated: 1-7-14

[Signature]

No. 8159
Expires 12-31-14
STATE OF CALIFORNIA

4639A
I, **BONNIE PAIGE**, do hereby certify as follows:

I am the duly appointed, qualified City Clerk of the City of Stockton, a California municipal corporation; as such City Clerk, I am the custodian of the official records of the City Council of said City. The attached Resolution is a full, true, and correct copy of Resolution No. 2014-05-06-1207, Summary Vacation and Abandonment of Drainage Easement Located in the Sierra Vista Housing Project, of said City Council, which was adopted on May 6, 2014 and is on file in the City Clerk's office.

**IN WITNESS WHEREOF**, I have hereto affixed my hand and the seal of the City of Stockton on May 8, 2014.

**BONNIE PAIGE, CITY CLERK**  
**CITY OF STOCKTON**

By  
Dora Martinez Sidrian, Deputy Clerk