



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 10, 2008

SUBJECT: Public Access Easement Abandonment 435 Sixth Street

Report in Brief

This is a continuation of the public access easement abandonment process requested by the Woodland Joint Unified School District (WJUSD). On May 20, 2008, the City Council approved Resolution No. 4920 a Resolution of Intention to Vacate, and set a public hearing date of June 10, 2008 to discuss the proposed vacation of a portion of the City owned public access easement located on the properties at 435 Sixth Street and 1100 Main Street.

All required resolutions and notices have been posted and affidavits of posting filed. The City of Woodland Planning Commission, at its April 17, 2008 meeting, made a finding that the proposed vacation is consistent with the General Plan. This Resolution of Intention to Vacate is pursuant to Chapter 3 of the Public Streets, Highways and Service Easements Law.

Staff recommends that the City Council hold a public hearing and adopt Resolution No._____, a Resolution of Vacation.

Background

This abandonment was initiated at the request of the WJUSD, who is currently preparing to lease the site with an option for future purchase of the property at 435 Sixth Street. The easement is negatively affecting the transfer of title.

The easement was dedicated to the City in 1993 via Parcel Map #4099 to benefit the subject properties and the property to the south. The portion of the access easement that benefits the property to the south will be retained by the City; however, the remainder of the easement which affects only 435 Sixth Street and 1100 Main Street will be abandoned.

With easement abandonment, the underlying property will be deeded to the owners of 435 Sixth Street and 1100 Main Street. This action will remove a restriction on the sites, but does not negatively impact adjacent properties.

Discussion

The portion of the public access easement being abandoned negatively affects the subject property but no longer benefits the public. Furthermore, due to a driveway relocation it no longer connects to Sixth Street.

There is no benefit to the City or the Public to retain title to the easement. The abandonment was reviewed by all City departments through the Development Review Committee. A portion of the easement is being retained to facilitate Fire Department engine turn around at the end of Lincoln Street.

Fiscal Impact

The cost of the abandonment is about \$5,000 in contract services and City staff time. In an effort to assist the School District, the City has borne the costs from its operations budget. There is no on going impact to the City's budget.

Public Contact

Posting of the City Council agenda, and public noticing published and posted in the manner prescribed by Sections 8322 and 8323 of the Streets and Highways Code including legal notices in the paper and postings at the site.

Commission Recommendation

The Planning Commission, at its April 17, 2008 meeting, made a finding that the proposed vacation is consistent with the General Plan.

Recommendation for Action

Staff recommends that the City Council hold a public hearing and adopt Resolution No._____, a Resolution of Vacation.

Prepared by: Lolly Weichel
Engineering Technician

Reviewed by: Bruce Pollard
Senior Civil Engineer

Reviewed by: Barry Munowitch, AICP
Assistant City Manager

Mark G. Deven
City Manager

Enclosures:

- Location Map
- Resolution

RESOLUTION NO. _____

RESOLUTION VACATING A PUBLIC ACCESS EASEMENT PURSUANT TO THE PROVISIONS OF THE PUBLIC STREETS, HIGHWAYS, AND SERVICE EASEMENT VACATION LAW

WHEREAS, on May 20, 2008, the City Council adopted Resolution No. _____, a Resolution of Intention to Vacate a Portion of Public Access Easement, and ordered that the hearing on the proposed vacation be set for the 10th day of June, 2008, in the City Council Chambers of the City Council, at City Hall, 300 First Street, Woodland, California; and

WHEREAS, a copy of Resolution No. _____ has been posted on the Directory in the Lobby of City Hall at least two weeks in advance of the hearing; and

WHEREAS, notice of the date, hour and place of hearing of the proposed vacation was published for at least two successive weeks prior to the hearing; and

WHEREAS, at least two weeks before the day set for the hearing at least three notices of vacation were conspicuously posted along the line of the portion of public service easement not more than 300 feet apart; and

WHEREAS, the hearing described above has been conducted, and this Council having heard and considered all oral, documentary and other evidence presented, hereby finds, determines and orders as follows:

BE IT RESOLVED by the City Council of the City of Woodland, a political subdivision of the State of California, that this Council hereby finds as follows:

- a. That vacation of the portion of public access easement would be consistent with, and not violative of, the General Plan and all elements and components thereof of the City of Woodland;
- b. That the portion of public access easement is unnecessary for present or prospective public use; and
- c. The public interest will be served by the herein vacation.

BE IT FURTHER RESOLVED AND ORDERED that the following described portion of public service easement is hereby vacated:

PARCEL 1:

That real property situate in the City of Woodland, County of Yolo, State of California, being a portion of the Northeast Quarter of Section 32, Township 10 North, Range 2 East, Mount Diablo Base and Meridian, and being a portion of Parcel "1" as it appears in Book 10 of Parcel Maps, at Pages 103 and 104, Yolo County Records, and being more particularly described as follows:

That Public Access Easement offered for dedication on said Parcel Map lying within said Parcel.

PARCEL 2:

That real property situate in the City of Woodland, County of Yolo, State of California, being a portion of the Northeast Quarter of Section 32, Township 10 North, Range 2 East, Mount Diablo Base and Meridian, and being a portion of Parcel "2" as it appears in Book 10 of Parcel Maps, at Pages 103 and 104, Yolo County Records, and being more particularly described as follows:

That Public Access Easement offered for dedication on said Parcel Map lying within said Parcel. Excepting therefrom: that portion of said Easement lying within the Southerly 60.00 feet of said Parcel.

BE IT FINALLY RESOLVED AND ORDERED that the City Clerk of the City of Woodland shall cause a certified copy of this Resolution of Vacation, attested by the Clerk under seal, to be recorded in the Office of the Recorder of the County of Yolo.

On a motion by Councilmember _____, seconded by Councilmember _____, the foregoing Resolution was passed and adopted by the City Council of the City of Woodland, State of California, this 10th day of June, 2008, by the following vote, to wit:

DATED:

AYES: Councilmembers

NOES: Councilmembers

ABSENT: Councilmembers

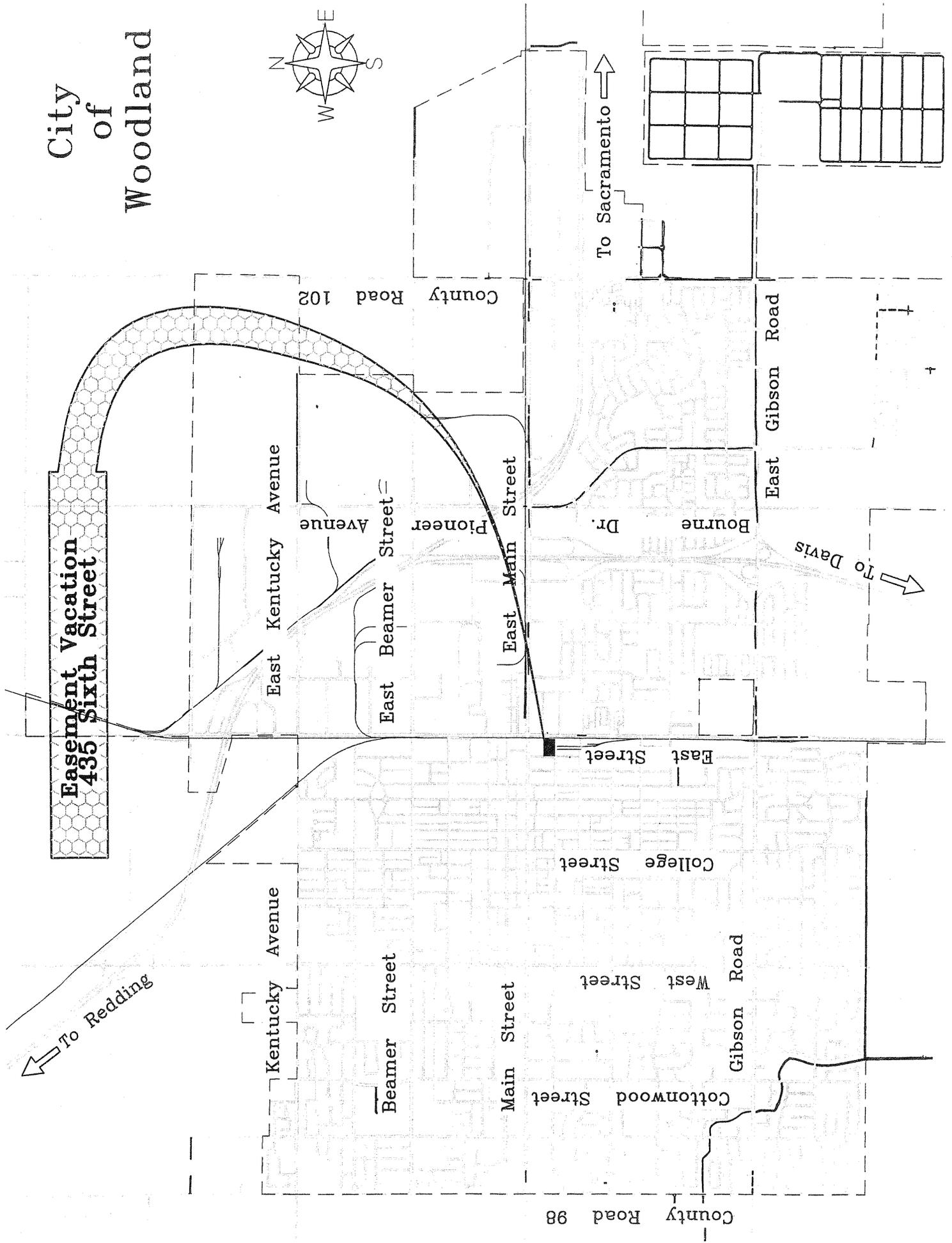
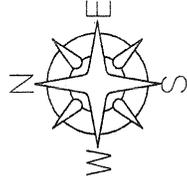
ABSTAINED: Councilmembers

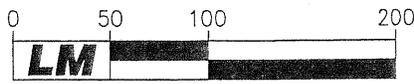
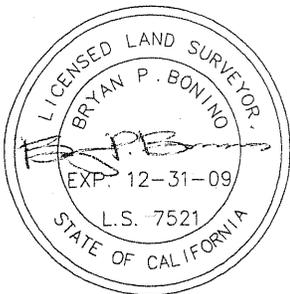
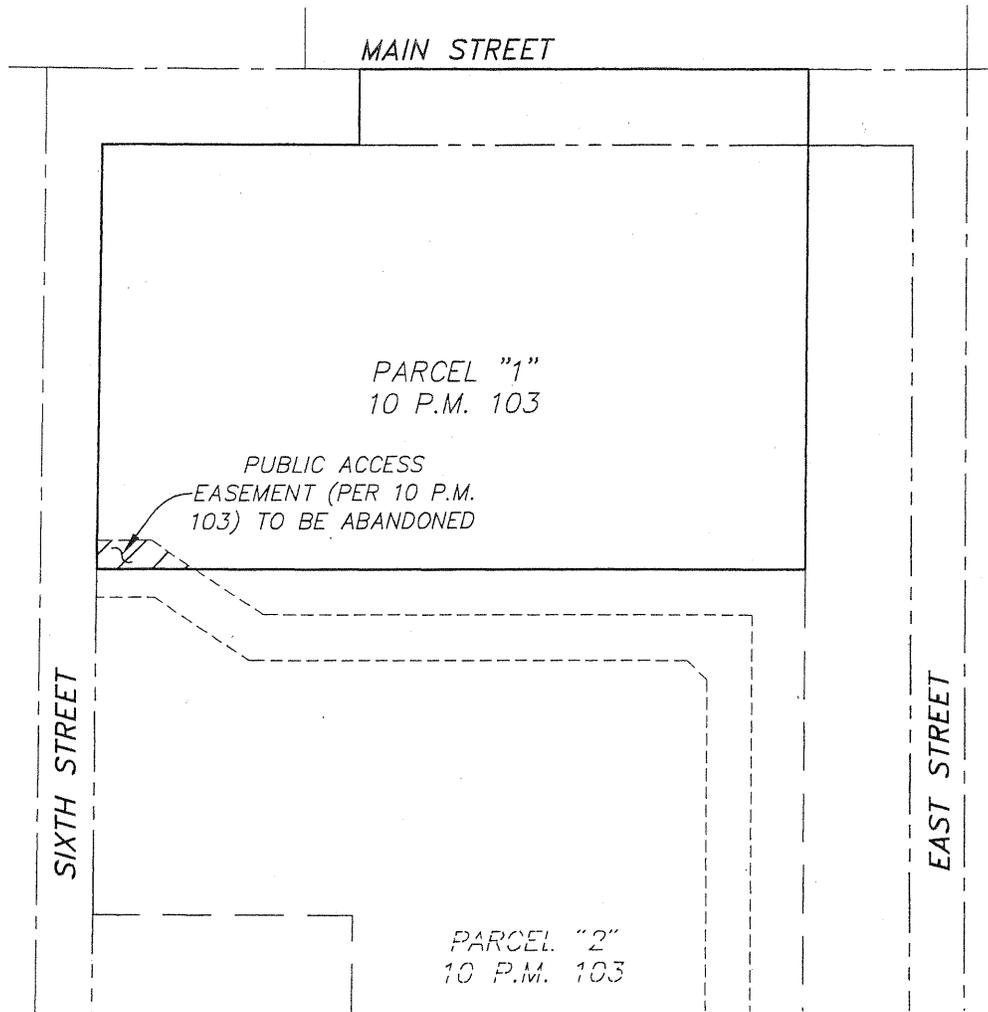
DAVID FLORY, MAYOR

ATTEST:

SUSAN L. VANNUCCI, CITY CLERK

City of Woodland





SCALE: 1"=100'



**EXHIBIT B
PUBLIC ACCESS EASEMENT
ABANDONMENT**

FOR

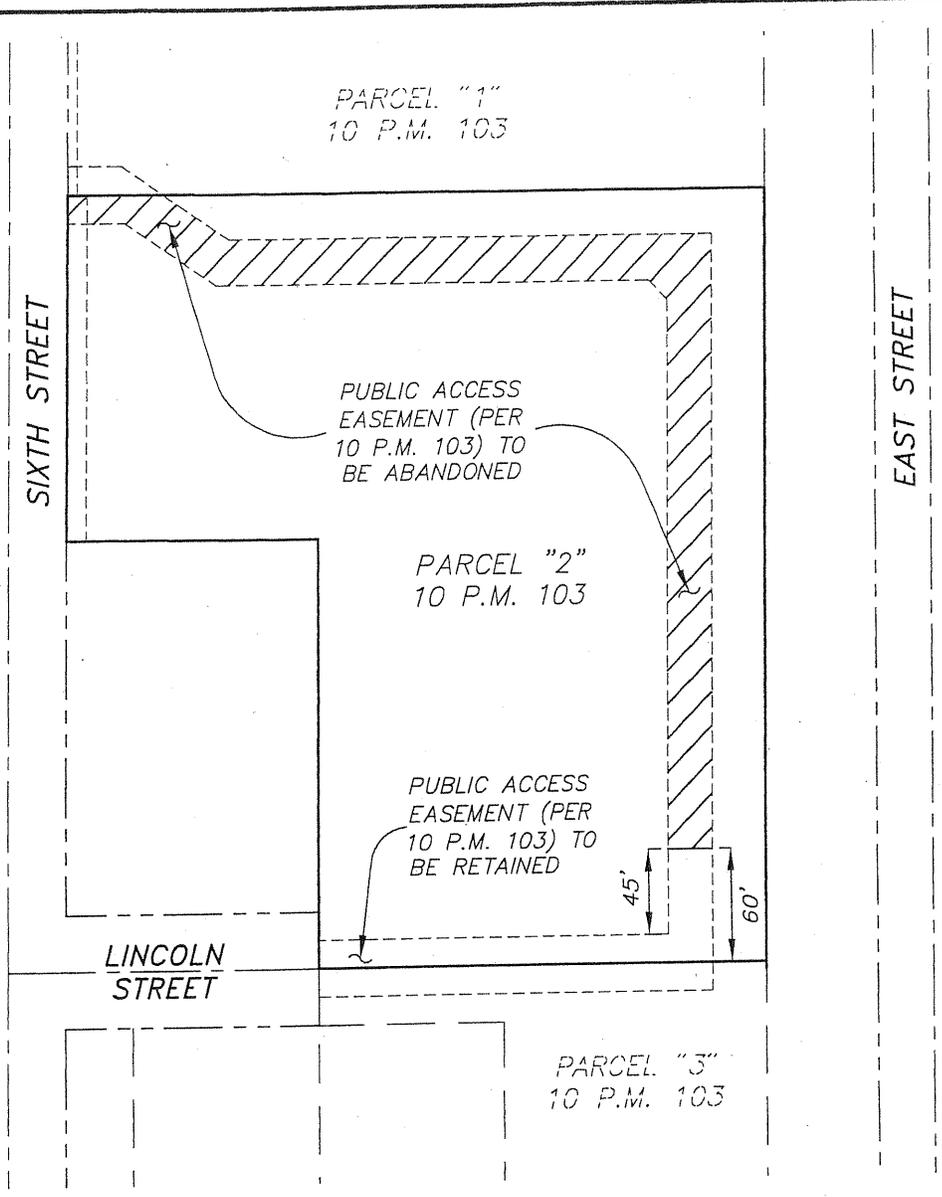
CITY OF WOODLAND

LOCATED IN A PORTION OF SECTION 32,
TOWNSHIP 10 NORTH, RANGE 2 EAST,
MOUNT DIABLO MERIDIAN,
CITY OF WOODLAND, YOLO COUNTY,
CALIFORNIA

LM LAUGENOUR AND MEIKLE
CIVIL ENGINEERING · LAND SURVEYING · PLANNING

608 COURT STREET, WOODLAND, CALIFORNIA 95695 · PHONE: (530) 662-1755
P.O. BOX 828, WOODLAND, CALIFORNIA 95776 · FAX: (530) 662-4602

SHEET 1 OF 1 MARCH 19, 2008



PARCEL "1"
10 P.M. 103

SIXTH STREET

EAST STREET

PUBLIC ACCESS
EASEMENT (PER
10 P.M. 103) TO
BE ABANDONED

PARCEL "2"
10 P.M. 103

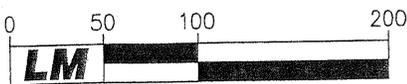
PUBLIC ACCESS
EASEMENT (PER
10 P.M. 103) TO
BE RETAINED

45'

60'

LINCOLN
STREET

PARCEL "3"
10 P.M. 103



SCALE: 1"=100'

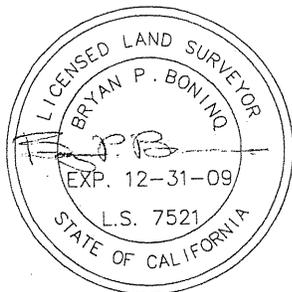


EXHIBIT B
PUBLIC ACCESS EASEMENT -
ABANDONMENT

FOR
CITY OF WOODLAND
LOCATED IN A PORTION OF SECTION 32,
TOWNSHIP 10 NORTH, RANGE 2 EAST,
MOUNT DIABLO MERIDIAN,
CITY OF WOODLAND, YOLO COUNTY,
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SHEET 1 OF 1

MARCH 12, 2008

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