

CITY OF YUBA CITY  
STAFF REPORT

**Date:** December 16, 2008  
**To:** Honorable Mayor & Members of the City Council  
**From:** Public Works Department  
**Presentation by:** George Musallam, Public Works Director

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**Summary**

**Subject:** Summary Vacation of Public Utility Easement on south side of C Street at 455 Plumas Boulevard (AP# 52-380-021)  
**Recommendation:** Adopt a resolution summarily vacating a public utility easement on the south side of C Street at 455 Plumas Boulevard.  
**Fiscal Impact:** None

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**Background:**

On March 1, 1994, the City Council adopted a resolution approving the Town Center Parcel Map, subdividing the property in the vicinity of Plumas Boulevard and C Street that currently makes up the Town Center. The map was recorded on April 21, 1994, dedicating right-of-way and public utility easements to the City.

**Analysis:**

One of the public utility easements dedicated is a 10' strip of land located on the south side of C Street between Plumas Boulevard and Wilbur Avenue. The easement is not currently and has never been utilized by any utilities. There is now a conflict with a portion of the public utility easement as part of the Sutter North Surgical Center building is located within the easement. Mr. Ed Erwin, Director of Real Estate Services for Facility Planning and Development for Sutter North, has requested that the easement be vacated and has paid the fees associated with the vacation of the easement.

Chapter 4 entitled "Summary Vacation" commencing with Section 8330 of the California Streets and Highways Code allows for the summary vacation of a public utility 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." This easement has never been used, and Staff does not believe it will be required in the future.

**Fiscal Impact:**

None.

**Alternatives:**

There are no feasible alternatives as the public utility easement is no longer viable as the Sutter North Surgical Center building has been constructed.

**Recommendation:**

Adopt a resolution summarily vacating a public utility easement on the south side of C Street at 455 Plumas Boulevard.

**Attachments:**

- A. Exhibit
- B. Resolution
- C. Vacation Plat

Prepared by:

Diana Langley  
Diana Langley  
Principal Engineer

Submitted by:

[Signature]  
Steven R. Jepsen  
City Manager

Reviewed by:

Department Head

Finance

City Attorney

Other

GM  
AKB  
\_\_\_\_\_  
\_\_\_\_\_

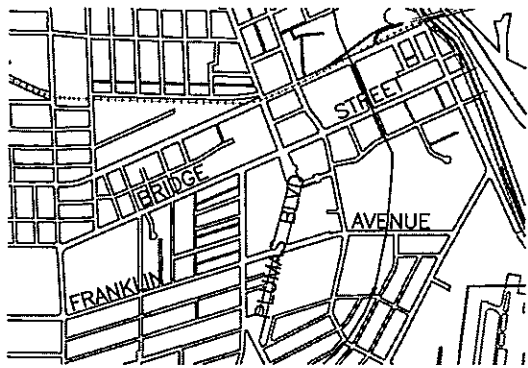


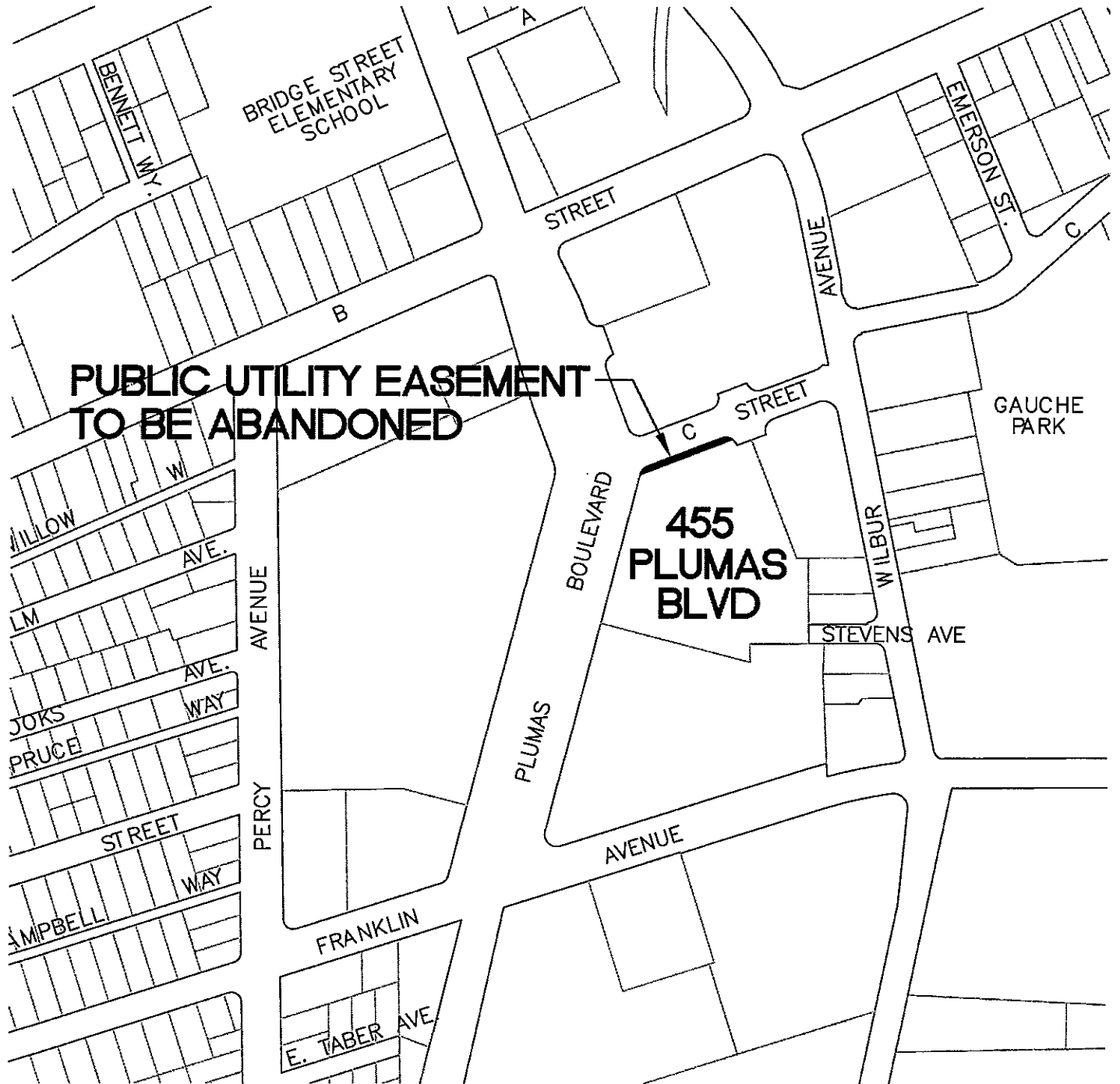
EXHIBIT  
SUMMARY VACATION OF  
PUBLIC UTILITY EASEMENT  
455 PLUMAS BOULEVARD



SCALE: 1" = 300'

**PUBLIC UTILITY EASEMENT  
TO BE ABANDONED**

**455  
PLUMAS  
BLVD**



RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY OF YUBA CITY SUMMARILY VACATING A PUBLIC UTILITY EASEMENT AS DESIGNATED ON PARCEL MAP 908, FILED IN THE OFFICE OF THE SUTTER COUNTY RECORDER ON APRIL 21, 1994 IN BOOK 5 OF PARCEL MAPS, PAGE 118**

BE IT RESOLVED AND ORDERED by the City Council of the City of Yuba City as follows:

1. This resolution of vacation, i.e., summary vacation, is made and adopted pursuant to Chapter 4 entitled "Summary Vacation" commencing with Section 8330 of the California Streets and Highways Code.

2. The portion of the Public Utility Easement being summarily vacated by the terms of this resolution is a portion of the Public Utility Easement located on the Record Map of Parcel Map 908 as recorded in Book 5 of Parcel Maps at Page 118. A precise description of the portion of the Public Utility Easement being vacated is reflected on the map attached to this resolution which is by this reference incorporated herein and made a part hereof.

3. This vacation is made pursuant to the authority embodied in Streets and Highways Code, Section 8333(a), in that the easement being vacated by this resolution has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

BE IT FURTHER RESOLVED AND ORDERED that based upon the foregoing facts recited above, the City Council of the City of Yuba City orders the summary vacation of the Public Utility Easement as presently shown to be vacated on the attached plat of the Record Map of Parcel Map 908, finding and determining that each of the foregoing facts is true and correct and supports and justifies the summary vacation of the portion of the Public Utility Easement given the non-use of the public utility easement as of the date of the dedication.

BE IT FURTHER RESOLVED AND ORDERED that the within resolution of vacation, from and after the date of its recordation, shall terminate the portion of the Public Utility Easement shown to be vacated on the attached plat within said Parcel Map 908 and, upon such recordation, the within vacation shall be deemed complete.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 16<sup>th</sup> day of December 2008.

AYES:

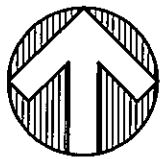
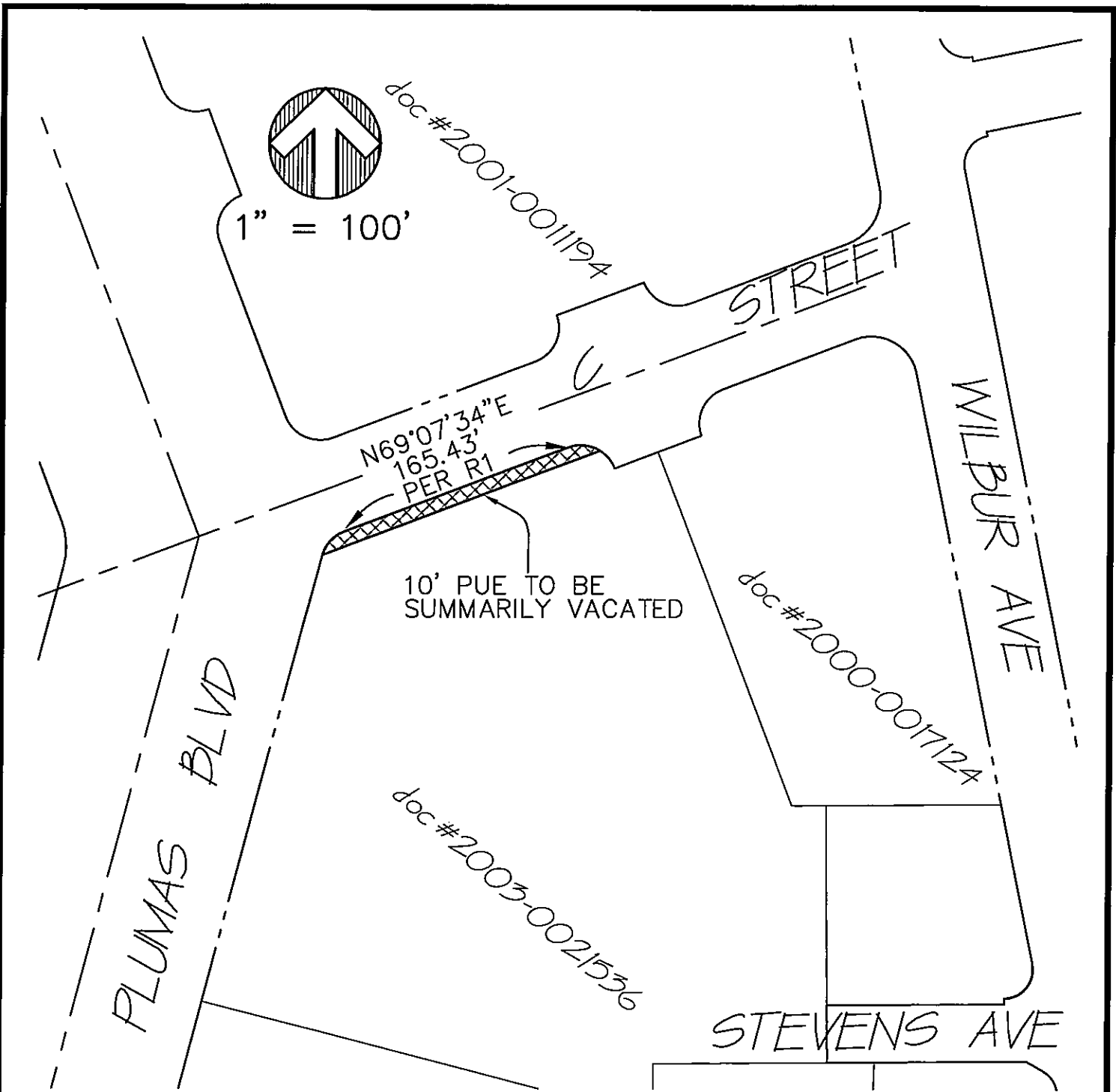
NOES:

ABSENT:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



1" = 100'

doc #2001-0011194

C STREET

WILBUR AVE

N69°07'34"E  
165.43'  
PER R1

10' PUE TO BE  
SUMMARILY VACATED

doc #2000-0071124

PLUMAS BLVD


doc #2003-0021536

STEVENS AVE

.044± acres

R1 P.M. 909; BK 5, PG 118

**LEGEND**

- EXISTING RIGHT of WAY
-  PUE TO BE SUMMARILY VACATED



vac C St easement.dwg

RESOLUTION No. _____	DOCUMENT NO. _____
<b>CITY of YUBA CITY</b>	
<b>PUBLIC UTILITY EASEMENT VACATION</b>	
southeast corner of Plumas Blvd and C St	
SUBMITTED BY: sal	DATE DRAWN: 12-5-08
APPROVED _____	DRAWN BY: sal
APPROVED _____	CHECKED BY: staff
	DWG. No. XXXX A