

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 09/15/2015 by the following vote:

AYE: ☒ 3 **John Gioia**
Candace Andersen
Karen Mitchoff

NO: ☐

ABSENT: ☒ 2 **Mary N. Piepho**
Federal D. Glover

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2015/328

ADOPT Resolution No. 2015/328 terminating and abandoning a portion of an Offer of Dedication of a Landscape Maintenance Easement over a portion of Assessor's Parcel Number 222-620-039 in San Ramon, Dougherty Valley area, District II. Project No.: 0651-WL72RP (Permit SD 06-09134)

WHEREAS, in July 2013 Contra Costa County (County) received, but did not accept, an offer to dedicate for a Landscape Maintenance Easement (LME), over a portion of Assessor's Parcel Number (APN) 222-620-039, San Ramon (Dougherty Valley) area. The offer of dedication was included on the approved Parcel Map for Subdivision SD06-09134.

WHEREAS, the current owners of APN 222-620-039 have requested that the County terminate and abandon a portion of the offer of dedication.

The portion of an easement to be terminated and abandoned is more particularly described and depicted in Exhibit "A" and Exhibit "B", attached hereto and by reference made a part hereof.

WHEREAS, that this termination request is for a portion of an easement that the date of dedication is less than five years, and more than one year, immediately preceding the date of this action, and the easement was not used continuously since that date. (S&H Code Section 8333(b))

WHEREAS, Public Works Department staff has determined there is no possibility that terminating and abandoning a portion of the offer of dedication of the easement may have a significant adverse effect on the environment.

WHEREAS, there are no known public facilities within the easement area.

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of Contra Costa County that:

The Board FINDS that there is no reasonable probability that a portion of the offer of dedication will be accepted into the County's Right-of-Way Landscaping system, that the County has not expended County funds to maintain or improve the easement, and it is in the best interests of the County and the public that a portion of the easement be terminated.

The Board FINDS that terminating and abandoning a portion of the offer of dedication of the easement will not have a significant effect on the environment, pursuant to the 1992 Environmental Impact Report (State Clearing House [SCH] #91503014) and the Subsequent Environmental Impact Report (SCH #96013003).

The easement described and depicted in Exhibit "A" and Exhibit "B" is hereby TERMINATED and ABANDONED pursuant to Government Code section 66477.2 subdivision (c) or 7050, and to Part 3 of Division 9, Chapter 4 of the Streets and Highways Code, commencing with section 8330 et.seq.

The Board DIRECTS the Public Works Director to cause a certified copy of this Resolution to be recorded.

From and after the date this Resolution is recorded, the Offer of Dedication described and depicted in Exhibit "A" and Exhibit "B" is terminated and the County's right to accept the offer is abandoned.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Julie Carlson. 925-313-2133

ATTESTED: September 15, 2015

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy