

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works AKM

BOARD AGENDA # *C-2

Urgent Routine

AGENDA DATE June 22, 2010

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Summarily Vacate a Portion of Anna Avenue, East of Motsinger Road and West of Seventh Street, Located in the Community of Keyes

STAFF RECOMMENDATIONS:

Pursuant to the Street and Highway Code 8334(a):

1. Find that the north five (5) feet and the south five (5) feet of Anna Avenue located east of Motsinger Road and west of Seventh Street in the community of Keyes, adjacent to lots 1-12 of Blocks A & B of Warda Tract Subdivision Map recorded in Volume 14 of Maps, Page 57, Stanislaus County Records, described herein, is excess right-of-way and is not required for street or highway purposes.

(Continued on Page 2)

FISCAL IMPACT:

There is no fiscal impact associated with this item. The fees for processing this abandonment have been paid by the applicant.

BOARD ACTION AS FOLLOWS:

No. 2010-385

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

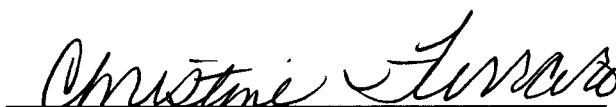
1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Summarily Vacate a Portion of Anna Avenue, East of Motsinger Road and West of Seventh Street, Located in the Community of Keyes

STAFF RECOMMENDATIONS (Continued):

2. Adopt the attached resolution vacating the north five (5) feet and the south five (5) feet of Anna Avenue located east of Motsinger Road and west of Seventh Street in the community of Keyes described herein.

DISCUSSION:

Stanislaus County, under the Keyes Improvement Project, funded by the Stanislaus County Redevelopment Agency, has recently improved Anna Avenue. The original dedication for Anna Avenue, from the Warda Tract Subdivision Map was a 60-foot wide road, but after review it was decided that because Anna is a residential road, it was not necessary to maintain a 60-foot right-of-way. Therefore, a 50-foot road was constructed per current County standards. Henry Castino, a landowner and representative of the area land owners, has requested the abandonment of the additional five feet of right-of-way on both the north and south sides of Anna Avenue. The additional five feet on each side is not required by Stanislaus County and is considered excess right-of-way. This summary abandonment will return property use to all adjacent landowners while retaining the five feet thereof as a Public Utility Easement for existing utilities. All utility companies involved agree to this summary abandonment and retaining the five feet as a public utility easement.

POLICY ISSUES:

The Board of Supervisors should consider if the recommended action is consistent with its priority of striving for a well-planned infrastructure system. Street and Highways Code 8334(a) states that the legislative body of a local agency may summarily vacate excess right-of-way of a street or highway not required for street or highway purposes.

STAFFING IMPACT:

There is no staffing impact associated with this item. There is no staffing impact associated with this item.

CONTACT PERSON:

Matt Machado, Public Works Director. Telephone: 209-525-6550.

RB:lc

G:\survey\Abandonment\Anna Avenue\Board Items\Anna Avenue Recommendations

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: June 22, 2010

No. 2010-385

On motion of Supervisor Chiesa Seconded by Supervisor Monteith
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # *C-2

Approval to Summarily Vacate a Portion of Anna Avenue, East of Motsinger Road and West of Seventh Street, Located in the Community of Keyes

BE IT RESOLVED, that the Board of Supervisors, of the County of Stanislaus, State of California, hereby finds and determines as follows:

1. The vacation of portion of Anna Avenue described herein below is made under Chapter 4, Part 3, of Division 9 of the California Street and Highway Code (Section 8334 (a)).
2. The portion of Anna Avenue to be vacated is the north five (5) feet and the south five (5) feet of Anna Avenue located east of Motsinger Road and west of Seventh Street in the Community of Keyes, adjacent to lots 1-12 of Blocks A & B of Warda Tract Subdivision Map recorded in Volume 14 of Maps, Page 57, Stanislaus County Records, described herein, is excess right-of-way and is not required for street or highway purposes, and is more particularly described in Exhibit "A" attached hereto and shown on the precise map attached hereto as Exhibit "B".
3. The portion of Anna Avenue to be vacated hereby is excess right-of-way and is not required for street or highway purposes.
4. The portion of Anna Avenue to be vacated is to be retained as a Public Utility Easement.
5. That from and after the date this resolution is recorded by the County, the vacated portion of Anna Avenue herein described no longer constitutes part of a street or highway.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California



EXHIBIT "A"

ALL that certain piece or parcel of land situate within the County of Stanislaus, State of California and lying within a portion of the Northwest Quarter of Section 30, Township 4 South, Range 10 East, Mount Diablo Base and Meridian and being more particularly described as follows:

Parcel 1: BEGINNING at the Northeast corner of Lot 1 of Block B, Warda Tract, recorded in Volume 14 of Maps, Page 57, dated on May 22, 1946, Stanislaus County Records. Thence going North 89°56'00" West along the north line of Lots 1-12 of said Block B, a distance of 1373.05' to the Northwest corner of Lot 12 of Block B. Thence North 00°03'00" West, a distance of 5.00'. Thence South 89°56'00" East on a line 5.00' north of and parallel with the north line of said Block B, a distance of 1373.05'. Thence South 00°03'00" East, a distance of 5.00' to the POINT OF BEGINNING.

Reserving therefrom, for existing public utilities, any right necessary for the maintaining, operating, repairing, replacing or renewing existing facilities, including rights of access to said facilities.

Parcel 2: BEGINNING at the Southwest corner of Lot 12 of Block A, Warda Tract, recorded in Volume 14 of Maps, Page 57, dated May 22, 1946, Stanislaus County Records. Thence going South 89°56'00" East along the south line of Lots 1-12 of said Block A, a distance of 1358.27' to a ¾" iron pipe set on Volume 25 of Parcel Maps, Page 2, Stanislaus County Records. Thence along a curve concave to the northwest with a radius of 15.00' and center angle of 89°56'06", a distance of 23.54' to a ¾" iron pipe set on Volume 25 of Parcel Maps, Page 2, Stanislaus County Records to a point on the east line of Lot 1 of Block A, Warda Tract, recorded in Volume 14 of Maps, Page 57, Stanislaus County Records. Thence South 00°07'00" West, a distance of 5.00'. Thence along a curve concave to the northwest with a radius of 15.00' and center angle of 89°56'06", a distance of 23.54'. Thence North 89°56'00" West on a line 5.00' south of and parallel with the north line of said Block A, a distance of 1358.27'. Thence North 00°03'00" West, a distance of 5.00' to the POINT OF BEGINNING.

Reserving therefrom, for existing public utilities, any right necessary for the maintaining, operating, repairing, replacing or renewing existing facilities, including rights of access to said facilities.

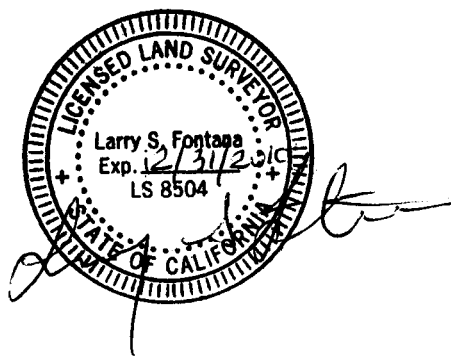
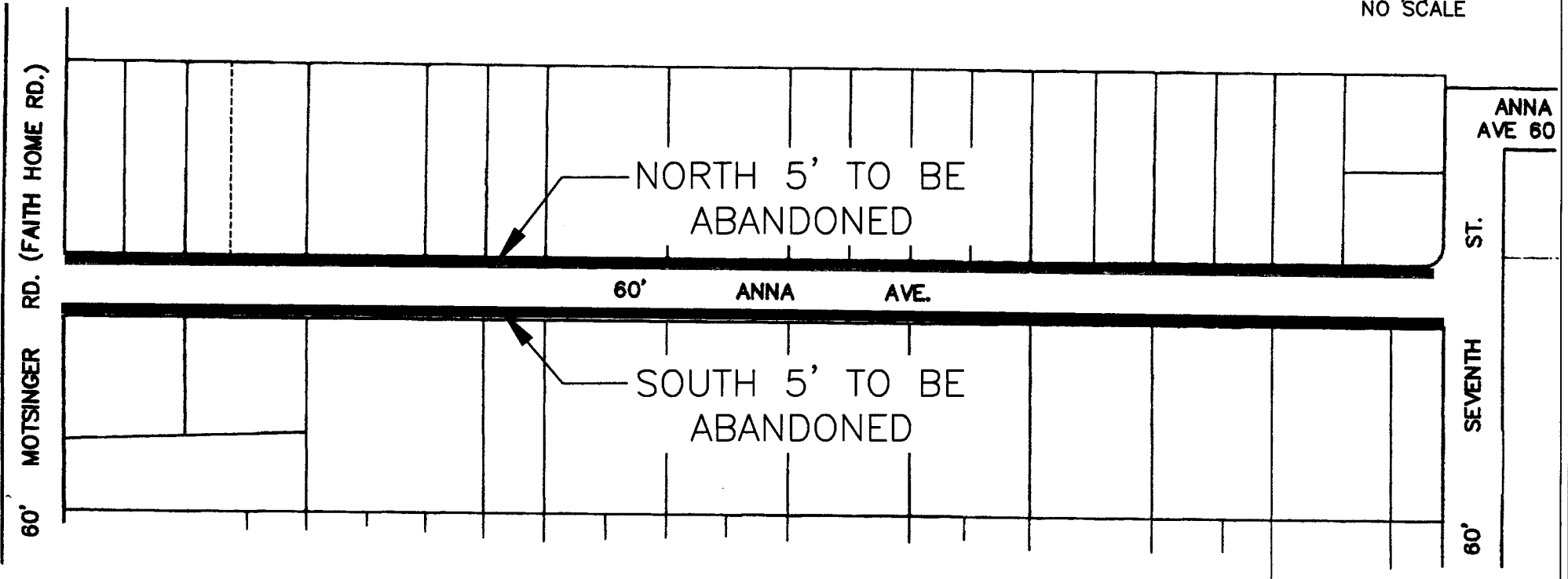
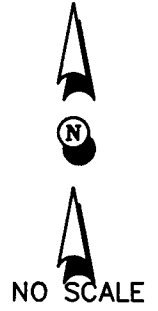


EXHIBIT "B"



PROPOSED ABANDONMENT
NW ¼ SECTION 30 T.4 S. R.10 E.
TOWN OF KEYES

