



City of Placerville
Public Works / Engineering
MEMORANDUM

DATE: 23 January 2007
TO: City Council
FROM: Rick Tippet, City Engineer
SUBJECT: **PUBLIC UTILITIES EASEMENT FOR LOT 112 OF THE ESKATON
SUBDIVISION**

RECOMMENDATION

That the Council adopts the Resolution as follows:

1. Summarily vacate and terminate the "Public Utilities Easement" (PUE) as described in Attachment A, which is located across Lot 112 of the Eskaton Village, recorded in the Book J of Subdivision Maps, on Page 81, on file in the El Dorado County Recorder's office; and,
2. Authorize that a Certificate of Correction to the subdivision map detailing the removal of the PUE may be recorded.

BACKGROUND

As part of the original Eskaton Village subdivision, a PUE was provided along all properties that were adjacent to public roadways. Lot 112 is located at the intersection of Blairs Lane and Heritage Drive. Heritage Drive is the emergency access road that goes down the hill from Blairs Lane to Wiltse Road. The easement in question is adjacent to Heritage Drive right-of-way.

DISCUSSION

As the affected lot was being developed, it became apparent that the public utility easement would not be required as all the utilities are located in public right-of-way. In addition, it was determined that in order for this lot to be developed, the patio for the house constructed on Lot 112 would encroach into the PUE.

The Subdivider, Lakemont Homes, currently owns all parcels within the subdivision. Lakemont has requested this abandonment, and received permission to abandon this PUE from all potentially affected public utilities that could utilize this easement.

Provisions of the California Streets and Highways Code provide that a Offer of Dedication for the PUE may be terminated utilizing the procedures for a Summary Vacation as outlined in the code. The Council's action on this item will serve to Summarily Vacate and terminate the offers of dedication for this PUE.

FISCAL ANALYSIS

No fiscal impacts are associated with abandoning the PUE.

Prepared by:

Approved To Form

Rick Tippet
City Engineer, PW/Engineering

Randy Pesses
Director of Public Works

Reviewed for Recommendation
and Approved for Agenda

Reviewed for Financial Impact

John Driscoll
City Manager/ City Attorney

Dave Warren
Director of Finance

Attachments: Resolutions

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACERVILLE
SUMMARILY VACATING A PUBLIC UTILITIES EASEMENT ACROSS LOT
112 OF THE ESKATON VILLAGE SUBDIVISION**

WHEREAS, the city Council accepted the Lakemont Village Subdivision map at the September 26, 2006 meeting, in which the map included a public utility easement (PUE) across lots 112; and,

WHEREAS, it has been requested by the Developer to abandon this PUE, and the City has determined that this PUE is not required for the completion of this subdivision; and,

WHEREAS, Section 66477.2 (c) of the California Government code and section 8300 et. seq. of the California Streets and Highways Code allows the City Council to summarily vacate and terminate the offer of dedication for the existing PUE.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Placerville, does hereby:

1. Summarily vacate and terminate the Public Utilities Easement located on Lot 112 of the Eskaton Village, recorded in the Book J of Subdivision Maps, on Page 81, on file in the El Dorado County Recorder's office, as described in the attached Exhibit A and depicted on the attached Exhibit B, which are by reference made a part hereof.
2. Authorize that a Certificate of Correction to the subdivision map detailing the removal of the PUE may be recorded.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Placerville held on January 23, 2007, by Council member _____, who moved its adoption. The motion was seconded by Council member _____.

The motion was passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor Mark A. Acuna

ATTEST:

City Clerk Susan Zito