

**Before the Board of Supervisors and for the  
County of Monterey, State of California**

Resolution No. \_\_\_\_\_

Adopts a Resolution:

- a. Determining summary vacation of public utility easements along Lots 2, 6 and 7, of the Jeffers Estates Subdivision, in the Community of Carmel, as shown on Attachment A of the Quitclaim Deed, and execution of the Quitclaim Deed is exempt from the California Environmental Quality Act;
- b. Summarily vacating the public utility easements along Lots 2, 6 and 7, of the Jeffers Estates Subdivision, in the Community of Carmel, as shown on Attachment A of the Quitclaim Deed;
- c. Quitclaiming any interest Monterey County has in said easements to the property owner;
- d. Directing the Director of Public Works to file a Notice of Exemption with the County Clerk;
- e. Authorizing the Chair of the Board to execute the Quitclaim Deed; and
- f. Directing the Department of Public Works to submit a certified copy of the Resolution and the Quitclaim Deed to the County Recorder for recordation.

WHEREAS, the County of Monterey accepted dedications of public utility easements as part of the Jeffers Estates Subdivision, Tract 435, approved by the Board of Supervisors in 1963; and

WHEREAS, the easements have not been used for public utilities since they were acquired; and

WHEREAS, said public utility easements along Lots 2, 6 and 7, of the Jeffers Estates Subdivision, in the Community of Carmel, as shown on Attachment A of the Quitclaim Deed, are not required for future public utility purposes; and

WHEREAS, at its August 31, 2011 meeting, the County of Monterey Planning Commission approved a Coastal Development Permit (PLN100211, Keech Properties LLC) for a lot line adjustment that merged three legal lots of record into one single lot in order to allow construction of a single-family residence on the newly consolidated lot, with a condition of approval (Condition 29) for the applicant to provide evidence of vacation of certain utility easements across the new consolidated lot; and

WHEREAS, the property owner has requested that the County vacate the excess public utility easements along Lots 2, 6 and 7, of the Jeffers Estates Subdivision, in the Community of Carmel, as shown on Attachment A of the Quitclaim Deed, that are not needed; and

WHEREAS, the Planning Department considered this vacation and found that the proposed vacation is not inconsistent with the Monterey County General Plan and Carmel Land Use Plan, and

WHEREAS, that said vacation will not have a significant impact on the environment and is exempt from environmental review in accordance with Section 15305(a) of the California Environmental Quality Act Guidelines; and

WHEREAS, AT&T, PG&E, and Carmel Wastewater District were contacted and said utilities confirmed there were no existing or planned utilities within these easement areas; and

WHEREAS, any utility found after-the fact will be the property owner's responsibility to relocate and as required by the affected utility provider, and

WHEREAS, the Board of Supervisors is authorized to summarily vacate public service easements pursuant to California Streets and Highways Code Section 8333.

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Supervisors of the County of Monterey hereby:

1. Finds that the foregoing recitals are true and correct and so declares and determines.
2. Pursuant to Article 1 of Chapter 4, Section 8333, of California Streets and Highways Code, summarily vacates the public service easements along Lots 2, 6 and 7, of the Jeffers Estates Subdivision, in the Community of Carmel, as shown on Attachment A of the Quitclaim Deed and more fully described in the Quitclaim Deed which is attached hereto and incorporated herein.
3. From and after the date that this resolution is recorded, the public service easements vacated shall no longer constitute public service easements of Monterey County.
4. Quitclaims any interest Monterey County has in said easements to the property owner.
5. Directs the Director of Public Works to file a Notice of Exemption with the County Clerk.
6. Authorizes the Chair of the Board to execute the Quitclaim Deed.
7. Directs the Department of Public Works to submit a certified copy of the Resolution and the Quitclaim Deed to the County Recorder for recordation.