

RESOLUTION NO. 2016-075

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA DECLARING ITS INTENT TO CONDUCT A PUBLIC HEARING ON THE VACATION OF A PUBLIC RIGHT-OF-WAY AND UTILITY EASEMENT WITHING THE RANCO DE CALISTOGA MOBILE HOME PARK LOCATED AT 2412 FOOTHILL BOULEVARD (SV 2016-1)

WHEREAS, the property at 2412 Foothill Boulevard (APN 011-410-018) includes a 60-foot wide public right-of-way and utility easement that is not needed for the city's street network or utilities, as shown on attached Exhibit B; and

WHEREAS, the Property Owner desires to vacate this right-of-way to remove the encumbrance now that the waterline has been relocated and the right-of-way is not needed; and

WHEREAS, this action is not subject to the California Environmental Quality Act (CEQA) under Section 15061 (b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed vacation may have a significant effect on the environment; and

WHEREAS, after a public meeting on July 27, 2106 at which the Planning Commission considered the public record, including the written and oral staff reports, and testimony presented during the meeting, the Commission found that:

1. The 60-foot wide right-of-way and utility easement was a condition of approval placed upon the development of the Rancho de Calistoga Mobile Home Park and was created by an offer of dedication on August 19, 1971.
2. The Heather Oaks Subdivision to the north developed without consideration for the right-of-way, which now makes the construction of the roadway impractical.
3. The paper street is not needed for the city's street network and is not included in the modifications and improvements to Calistoga's street network called for by the General Plan's Circulation Element.
4. Circulation Element Action A1.1-2 calls for the City to cooperate with landowners to eliminate unnecessary "paper streets".

WHEREAS, no portion of these rights-of-way need to be reserved for public utility purposes.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Calistoga hereby finds and determines that the public right-of-way and utility easement described in Exhibit A and shown on Exhibit B attached to this resolution is unnecessary for street and utility purpose and declares its intent to consider their vacation.

NOW THEREFORE BE IT FURTHER RESOLVED, that a public hearing will be held at the regularly-scheduled City Council meeting of October 18, 2016 for hearing all persons interested in or objecting to the proposed vacations.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **6th** day of **September 2016**, by the following vote:

AYES: Councilmember Kraus, Vice Mayor Dunsford, Councilmember Lopez-Ortega and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: Councilmember Barnes



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, City Clerk

PRELIMINARY

EXHIBIT A LEGAL DESCRIPTION EASEMENT VACATION

Parcel Three in the Offer of Dedication for Public Street and Utility Purposes in the city of Calistoga, county of Napa, state of California, as per document recorded in Book 857, Page 888 in the office of the County Recorder of said County.

Said parcel is more particularly described as follows:

PARCEL THREE:

A 60 foot wide Right of Way and Utility Easement more particularly described as follows:

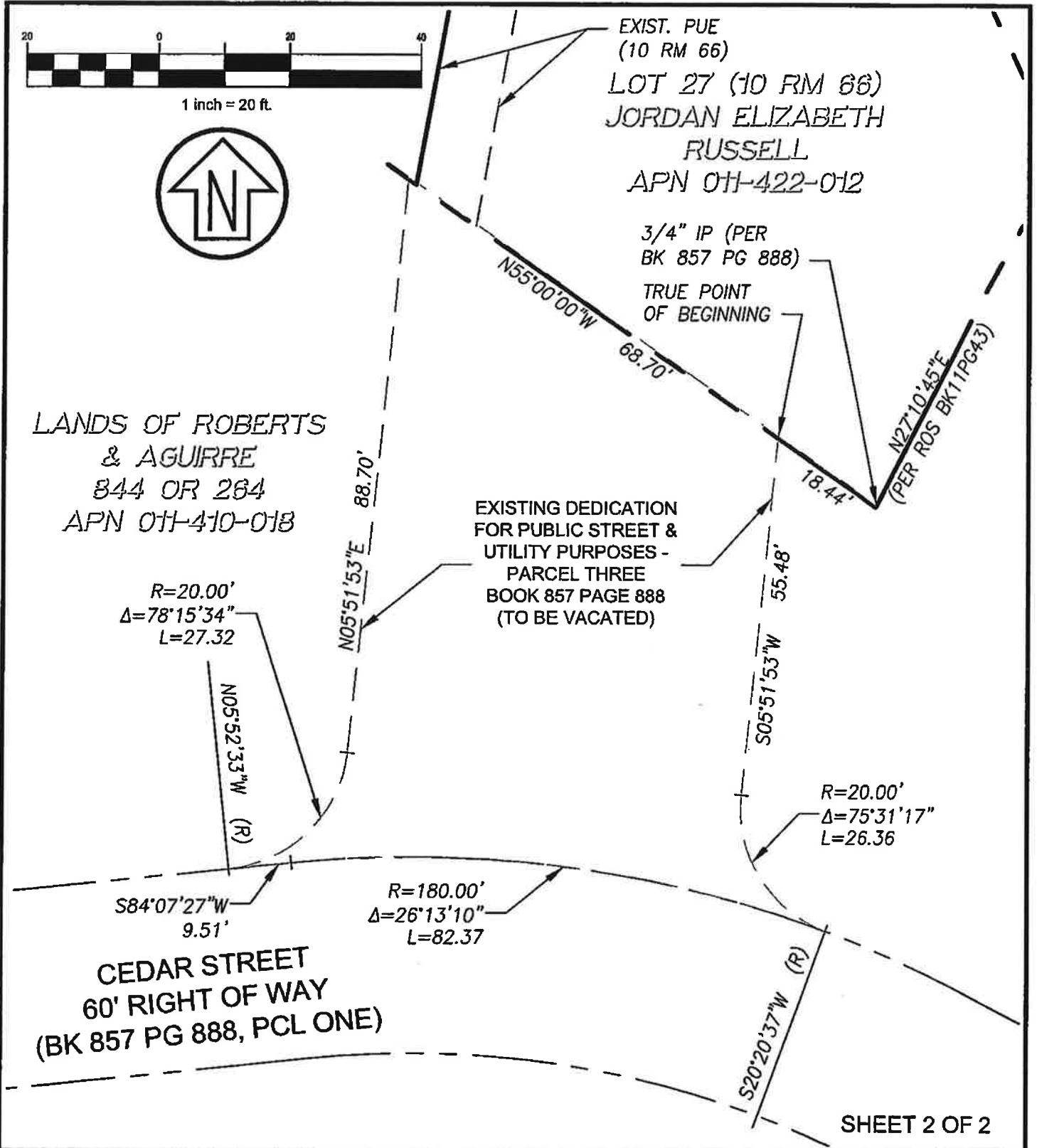
Beginning at a found 3/4" iron pipe marking the Southerly end of a boundary line that bears North 27°10'45" East as said line is shown on the map entitled, "Record of Survey of Property of Walter Witt", filed for record November 14, 1963 in Book 11 of surveys at Page 43, Official Records, County of Napa; thence North 55°00'00" West, 18.44 feet to the True Point of Beginning; thence, from said True Point of Beginning, South 5°51'53" West, 55.48 feet; thence, along a curve to the left, having a radius of 20.00 feet, through a central angle of 75°31'17", an arc distance of 26.36 feet; to a point on the Northerly sideline of the 60 foot wide right of way described as Parcel One, above [Offer of Dedication]; thence, following said Northerly sideline, along a curve to the left, whose center of radius bears South 20°20'37" West, having a radius of 180.00 feet, through a central angle of 26°13'10", an arc distance of 82.37 feet; thence, tangent to the preceding curve, South 84°07'27" West, 9.51 feet; thence, leaving said Northerly sideline, along a curve to the left, whose center of radius bears North 5°52'33" West, having a radius of 20.00 feet, through a central angle of 78°15'34", an arc distance of 27.32 feet; thence, tangent to the preceding curve North 5°51'53" East, 88.70 feet to a point on the Southerly boundary of Parcel "B" as shown on the aforementioned map; thence, Easterly along said boundary line South 55°00'00" East, 68.70 feet to the True Point of Beginning.

(a portion of APN 011-410-018)

Prepared by:
CSW/STUBER-STROEH ENGINEERING GROUP, INC.

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EXHIBIT B



CSW | ST2

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Date: 09/16/2016

Job No. 5.1418.01

Scale: 1" = 20'

RANCHO DE CALISTOGA
EXHIBIT A

EASEMENT VACATION

CALISTOGA

NAPA COUNTY

CALIFORNIA