

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

TO: BOARD OF SUPERVISORS

DATE: JUNE 26, 2007

FROM:  JAMES DURFEE/ALBERT RICHIE 

SUBJECT: ABANDONMENT AND RELOCATION OF PUBLIC TRAIL EASEMENT

ACTION REQUESTED/RECOMMENDATION: Adopt a Resolution to abandon an existing public equestrian/pedestrian easement across Lots 12 and 16 of Crother Hills Unit No. 2 Subdivision in the Meadow Vista Area, Assessor Parcel Numbers (APN) 073-201-051 and 073-201-055, in exchange for a new public trail easement in an alternate location.

BACKGROUND: Carl and Pamela Close are the owners of APN 073-201-055, which is located on Crother Hills Road in the Meadow Vista area. After purchasing the property, they discovered that their house was constructed over a public equestrian/pedestrian easement. This easement was filed for record in Book P of Maps, Page 89, for Tract No. 658, Crother Hills Unit No. 2, as shown on Exhibit C.

Staff has been working with the Closes to determine the best location for an alternate trail easement, and supports the Close's request to dedicate a new trail easement down the northern edge of their parcel in exchange for the abandonment of the existing trail easement, (see attached letter).

Staff recommends your Board take action to abandon the recorded public trail easement across APN 073-201-055 (Lot 16) and a small segment of trail easement that lies on the adjoining lot, APN 073-201-051 (Lot 12). County staff also recommends that your Board accept a new easement as described in Exhibit "A" and shown on Exhibit "B" to be recorded against APN 073-201-055. The new trail easement will be accepted concurrently with the abandonment of the old easement.

The proposed abandonment qualifies for Summary Vacation and, therefore, does not require posting or scheduling of a separate Public Hearing.

ENVIRONMENTAL CLEARANCE: The abandonment of this easement is not a project pursuant to Section 15061(b)(3) of the California Environmental Quality Act which precludes actions that have no potential to cause significant environmental impacts.

FISCAL IMPACT: There is no fiscal impact to the County associated with approving this recommendation. The value of the new public trail easement is estimated to be equal to or greater than the existing public trail easement.

ATTACHMENTS: LETTER FROM CARL AND PAMELA CLOSE
RESOLUTION
EXHIBIT A
EXHIBIT B
EXHIBIT C

cc: COUNTY EXECUTIVE OFFICE
DEPT. OF PUBLIC WORKS

T:\FAC\BSMEMO2007\Close Trail Easement

561

Before the Board of Supervisors County of Placer, State of California

In the matter of: A RESOLUTION ABANDONING
AN EQUESTRIAN/PEDESTRIAN EASEMENT –
CROTHER HILLS UNIT NO. 2 LOTS 12 & 16,
ASSESSOR PARCEL NUMBER 073-201-055-000
AND 073-201-051-000, AND ACCEPTANCE OF A
REPLACEMENT EASEMENT ON APN 073-201-
055, LOT 16.

Resol. No. _____

The following RESOLUTION was duly passed by the Board of Supervisors of the
County of Placer at a regular meeting held _____, by the following vote on
roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chairman, Board of Supervisors

WHEREAS, a 10' Equestrian/Pedestrian Easement was dedicated to and accepted by Placer
County on the final map of Crother Hills Unit No. 2, Lots 12 & 16, filed for record in Book "P" of
Maps at Page 89; and

WHEREAS, it has been determined that the Equestrian/Pedestrian Easement in its current
location, as depicted and shown on the attached Exhibit "C", is no longer necessary for present
or prospective public use; and

WHEREAS, Summary Vacation of this Equestrian/Pedestrian Easement is permissible
pursuant to Chapter 4 of Part 3, Division 9 of the Streets and Highways Code, commencing
with Section 8330; and

WHEREAS, an alternate location for the equestrian/pedestrian easement has been identified
along the north property line of APN 073-201-055; and

WHEREAS, the property owners are in agreement to grant said easement; and

562

NOW, THEREFORE, BE IT RESOLVED by the County of Placer Board of Supervisors that from and after the date this Resolution is recorded, the Equestrian/Pedestrian Easement on Lots 12 & 16, Crother Hills Unit No. 2, as described on the attached Exhibit "C" shall be vacated and abandoned, and shall thereafter not constitute an Equestrian/Pedestrian Easement; and

BE IT FURTHER RESOLVED by the County of Placer Board of Supervisors that the above-described easement, as shown and described on the attached Exhibit C, is not useful as a nonmotorized transportation facility.

BE IT FURTHER RESOLVED by the County of Placer Board of Supervisors that Placer County does hereby accept the grant of a 25' wide trail easement as described and shown in the attached Exhibits A and B.

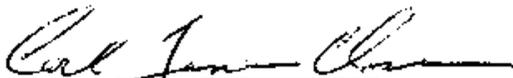
ATTACHMENTS: EXHIBIT A
 EXHIBIT B
 EXHIBIT C

TO : BOARD OF SUPERVISORS
FROM : CARL AND PAMELA CLOSE
DATE : MAY 2, 2007
SUBJECT : ABANDONMENT AND RELOCATION OF PUBLIC TRAIL EASEMENT

WE ARE THE OWNERS OF APN 073-201-055 , LOCATED ON CROTHER HILLS ROAD IN THE MEADOW VISTA AREA . AFTER PURCHASING THIS PROPERTY WE DISCOVERED THAT OUR HOUSE HAD BEEN CONSTRUCTED OVER A PUBLIC EQUESTRIAN / PEDESTRIAN EASEMENT . WORKING WITH STAFF FROM THE DEPARTMENT OF FACILITY SERVICES, PARKS DIVISION WE HAVE REACHED AN AGREEMENT TO RELOCATE THE TRAIL EASEMENT TO ANOTHER LOCATION WHICH RUNS DOWN THE NORTHERN EDGE OF OUR PROPERTY .

PLEASE ACCEPT THIS AS OUR FORMAL REQUEST , AS SUPPORTED BY COUNTY STAFF , TO ABANDON THE EXISTING TRAIL EASEMENT AND ACCEPT THE PROPOSED NEW EASEMENT .

SINCERELY,


CARL ZANE CLOSE


PAMELA ANNE CLOSE

EXHIBIT "A"

All that portion of land described in the Grant Deed to Carl Zane Close and Pamela Anne Close recorded September 9, 2002 in Document 2002-105882 Official Records of Placer County, shown as Lot 16 in that certain Map entitled CROTHER HILLS UNIT NO. 2, filed in Book P of Maps at Page 89, Official Records of Placer County, being a portion of Section 5, Township 13 North, Range 9 East, M.D.M., County of Placer, State of California, more particularly described as follows:

PARCEL 1:

A strip of land twenty-five (25) feet wide lying twelve and one-half (12.5) feet on each side of the following described line:

Beginning at a point on the Westerly Boundary of said Lot 16 from which the Northwest corner thereof bears North $04^{\circ}08'37''$ West a distance of 13.25 feet, thence along a line parallel with and distant Southerly 12.50 feet, measured at right angles from the Northerly Boundary of said Lot 16, South $74^{\circ}48'22''$ East a distance of 452.87 feet to a point hereinafter referred to as **POINT "A"**, thence South $74^{\circ}48'22''$ East a distance of 10.00 feet.

PARCEL 2:

A strip of land ten (10) feet wide lying five (5) feet on each side of the following described line:

Beginning at the hereinabove described **POINT "A"**, thence along the following four (4) courses:

1. South $09^{\circ}42'24''$ East a distance of 27.21 feet
2. South $44^{\circ}33'48''$ East a distance of 23.34 feet
3. South $81^{\circ}16'17''$ East a distance of 23.54 feet
4. North $69^{\circ}27'01''$ East a distance of 24 feet, more or less, to the Northeasterly boundary of said lot 16.

End of description.

The meridian of this description is identical to that of the Map entitled CROTHER HILLS UNIT No. 2 filed in Book P of Maps at page 89. Official Records of Placer County.



EXHIBIT B

