

MEMORANDUM

Part B

**DEPARTMENT OF PUBLIC WORKS
County of Placer**

TO: BOARD OF SUPERVISORS DATE: April 27, 2010
FROM: KEN GREHM / BOB COSTA
SUBJECT: **ABANDONMENT OF A PUBLIC ROAD EASEMENT –
MANDARIN HILL ROAD AND MANDARIN HILL COURT**

ACTION REQUESTED / RECOMMENDATION

Adopt a Resolution to abandon the public road easement rights on Mandarin Hill Road and Mandarin Hill Court in the Newcastle area, reserving a private road easement, emergency vehicle access easement and public utility easement from the abandonment.

BACKGROUND / SUMMARY

In 2007, the owners of Mandarin Hill Estates requested the County abandon the public's rights to the cul-de-sac Mandarin Hill Court, to allow for the placement of a gate, excluding public access to this development off Highway 193 in Newcastle. Mandarin Hill Court was dedicated to and accepted by the County on the map of Mandarin Hill Estates Subdivision, filed for record in 2001 in Book Y of Maps at Page 9. The abandonment was approved by the Board, but conditioned with dissolving the CSA and modifying the CC&Rs. The CC&R modifications have now been reviewed and approved by the Engineering & Surveying Department, and the dissolving of the CSA will be completed prior to the recording of the Abandonment Resolution. The 2007 abandonment request was only for Mandarin Hill Court, but subsequently, the applicants have included a portion of Mandarin Hill Road which was dedicated with this subdivision. Approval of a gated access is not included as part of the abandonment of these roadways; such approval must be secured through a separate application to the Community Development and Resource Agency.

All processing fees have been paid, the proposed easement abandonment has been distributed for comment and no objections have been received. The proposed abandonment qualifies for Summary Vacation, and therefore, does not require posting or scheduling of a separate public hearing.

ENVIRONMENTAL CLEARANCE

This action is categorically exempt from the provisions of CEQA Section 15061(b)(3); no potential to cause significant environmental impact.

FISCAL IMPACT

Two recent appraisals submitted for the vacation of the public rights to a street, reserving a private road easement, emergency vehicle access easement and public utility easement, have determined the fair market value of the rights to be vacated, subject to the rights to be reserved, to be nominal. Therefore, there is no fiscal impact anticipated to result from this action.

Attachments: Resolution, Exhibit A

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

In the matter of: A RESOLUTION ABANDONING
THE PUBLIC ROAD EASEMENT RIGHTS TO
MANDARIN HILL ROAD AND MANDARIN HILL
COURT - NEWCASTLE

Resol. No:.....

Ord. No:.....

First Reading:.....

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, public road easements as shown and designated as Mandarin Hill Road and Mandarin Hill Court were dedicated to and accepted by Placer County on the map of Mandarin Hill Estates, filed for record in Book Y of Maps at Page 51, Official Records of Placer County; and

WHEREAS, it has been determined that the public road easements, as shown as Mandarin Hill Road and Mandarin Hill Court on the attached Exhibit "A", are no longer necessary for present or prospective public use; and

WHEREAS, vacation of the public road easements is permissible pursuant to Chapter 2 of Part 3 of the Streets and Highways Code, Section 8312.

Resolution No. _____
Abandonment of the public road easement rights to Mandarin Hill Road and
Mandarin Hill Court.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Placer County that from and after the date this Resolution is recorded, the public road easements, as shown on the attached Exhibit "A", shall be vacated and abandoned, and shall thereafter not constitute a public road easement;

RESERVING THEREFROM easements over the entire road easements shown on Exhibit "A" for emergency vehicle access and public utilities and public utility access, together with a private road easement for the benefit of those parcels utilizing this easement for legal access.

BE IT FURTHER RESOLVED by the Board of Supervisors of Placer County that the above-described public road easements, as shown on the attached Exhibit, are not useful as a nonmotorized transportation facility, as this is not a through roadway, and a trails network is not proposed at this location .

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