

RESOLUTION No. 13-37

CITY OF MILLBRAE, COUNTY OF SAN MATEO
STATE OF CALIFORNIA

**RESOLUTION AUTHORIZING THE SUMMARY VACATION OF A ROADWAY
EASEMENT ALONG CAMINO ALTO AND MINORCA WAY IN THE CITY OF MILLBRAE**

WHEREAS, the City of Millbrae owns and operates the City's roadway network; and

WHEREAS, the County of San Mateo acquired an easement for highway and local road purposes by means of condemnation proceedings for the purpose of constructing an extension to Junipero Serra Boulevard near Camino Alto; and

WHEREAS, the easement in question is described as "Parcel Three" and "Parcel Four" in that Final Decree of Condemnation issued on December 29, 1941 and recorded on December 30, 1941 in Book 994, Page 336 of the Official Records of San Mateo County, which description is attached hereto as "Attachment A"; and

WHEREAS, the City of Millbrae, upon incorporation, became the owner of said easement; and

WHEREAS, Chapter 4 of Part 3 of Division 9 of the California Street and Highways Code, Section 8330 et seq., authorizes the summary vacation of an easement if the easement has not been in use for a period of five consecutive years; and

WHEREAS, the project for which this easement was acquired was never constructed and the easement has never been used for the purpose intended since its acquisition in 1941.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Millbrae as follows:

1. That the foregoing Recitals are true and correct; and
2. That the easement described in "Attachment A" is hereby vacated and abandoned as being unnecessary for present or prospective public purposes; and
3. That the abandonment is being made pursuant to Chapter 4 of Part 3 of Division 9 of the California Street and Highways Code, Sections 8330, et seq.; and
4. That the City Manager is authorized to execute all necessary paperwork and the City Clerk is directed to record a copy of this resolution with the County Recorder.

REGULARLY PASSED and adopted this 10th day of September, 2013.

ATTEST:



CITY CLERK


MAYOR

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 10th day of September 2013, by the following vote:

AYES:	COUNCILMEMBERS:	Papan, Colapietro, and Gottschalk, Oliva
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
EXCUSED:	COUNCILMEMBERS:	Lee



CITY CLERK