

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: February 19, 2014
Item No.: 4.a.
Staff: Karen Hyder
Surveyor's Office

ABANDONMENT OF EASEMENT

FILE NUMBER: AOE 13-0008 / Sandell

APPLICANT: Paul Sandell and Jodi Sandell

REQUEST: Abandonment of Easement request to vacate the 25' Road and Public Utility Easement, as shown on Parcel 2 of Parcel Maps recorded at Book 45, Page 2.

LOCATION: Southwest parcel at the end of Dragon Point Road, west of Latrobe Road, on the boundary of El Dorado County, Supervisorial District 2. (Exhibit C)

APN: 087-181-42

ENVIRONMENTAL DOCUMENT: Categorically Exempt pursuant to Sec. 15305 of the CEQA Guidelines

RECOMMENDATION: County Surveyor's Office recommends the Zoning Administrator take the following action:

1. Terminate and abandon the 25' Road and Public Utility Easement, as shown on Parcel 2 of the Parcel Map entitled, "PARCEL MAP, A PORTION OF THE NW 1/4 OF SECTION 26 & A PORTION OF THE NE 1/4 OF SECTION 27, T.8N., R.9E., M.D.M.", recorded at Book 45 of Parcel Maps at Page 2.

SURVEY STAFF ANALYSIS

Project Description: Abandonment of Easement (AOE) No. 2013-008 will abandon the 25' Road and Public Utility Easement on Parcel 2 Parcel Map, Book 45, Page 2, identified as

Assessor's Parcel Number (APN) 087-181-42, requested by property owners, Paul Sandell and Jodi Sandell.

- 1.1 **ENVIRONMENTAL REVIEW:** The abandonment of the easement is categorically exempt pursuant to 15305 of the State CEQA Guidelines, Minor Alteration in Land Use Limitations. The vacation of a road and public utility easement does not change any land use or density. The AOE does not permit any construction or development activity. The subject easement was established to meet the conditions of project P90-111, however, due to the slope and terrain, the public utilities were laid in the driveway parallel to easement. It is also reported to be unsuitable terrain for road construction.

SUPPORT INFORMATION

Attachments to Survey Staff Report:

Attachment 1	Conditions of Approval
Attachment 2.....	Findings
Exhibit A.....	Legal Description of AOE
Exhibit B	Graphical Depiction of AOE
Exhibit C	Location Map
Exhibit D.....	Assessor's Parcel Map
Exhibit E	Parcel Map, Book 45 Page

ATTACHMENT 1

CONDITIONS OF APPROVAL

**Abandonment of Easement AOE13-0008/Sandell
Zoning Administrator/February 19, 2014**

County Surveyor

1. **Project Description:** This Abandonment of Easement is based upon and limited to compliance with the project description, the Conditions of Approval set forth below, and the following hearing exhibits:

Exhibit ALegal Description of AOE
Exhibit BGraphical Depiction of AOE

Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval.

Approval of this Abandonment of Easement grants a summary vacation of the 25' Road and Public Utility Easement, as shown on Parcel 2 of Parcel Maps recorded at Book 45, Page 2, located on the parcel currently identified by Assessor's Parcel Number 087-181-42.

2. **Quit Claim Deed:** The applicant or their Title Company representative will coordinate with the County Surveyor to facilitate recording of the Quit Claim Deed after approval of the Abandonment of Easement is granted. The applicant is responsible for all associated fees.
3. **Certificate of Correction Modification or Amendment:** The applicant's Professional Land Surveyor or Registered Civil Engineer licensed to practice surveying, shall coordinate with the County Surveyor's Office to have a Certificate of Correction Modification or Amendment recorded on Book 45 of Parcel Maps at Page 2. The certificate will reflect the approved abandonment of easement. The applicant is responsible for all associated fees.

ATTACHMENT 2

FINDINGS

Abandonment of Easement AOE13-0008/Sandell Zoning Administrator/February 19, 2014

1.0 COUNTY SURVEYOR FINDINGS

- 1.2 The subject easement was established to meet the conditions of project P90-111, however, due to the slope and terrain, the public utilities were laid in the driveway parallel to easement. It is also reported to be unsuitable for road construction. The easement interferes with the completion of an entrance gate to the owner's driveway.
- 1.3 AT&T, Comcast, El Dorado Irrigation District, and Pacific Gas & Electric have not used said Public Utility Easement for the purpose for which it was dedicated and find no present or future need exists for that easement and do not object to its vacation, and to that end, have provided approval letters to the County Surveyor's Office.
- 1.2 El Dorado County Transportation Division has not used said Road and Public Utility Easement for the purpose for it was dedicated and finds no present or future need exists for this easement and does not object to its vacation, and to that end, has provided written approval to the County Surveyor's Office.
- 1.3 Adjoining Property owner to the east, Theodore Happe, provided a letter of no objection to the abandonment of said 25' Road and Public Utility Easement. A copy of the letter was submitted to the County Surveyor's Office.
- 1.4 Adjoining Property owner to the north, Brad Nicholson, APN: 087-181-41 has provided a *Quit Claim Deed* releasing interest in said 25' Road and Public Utility Easement. The applicant or their Title Company representative will coordinate with the County Surveyor to facilitate recording of the Quit Claim Deed after approval of the Abandonment of Easement is granted. The applicant is responsible for all associated fees.
- 1.5 The County Surveyor's Office has reviewed the request, and recommends the Zoning Administrator approve an AOE 13-008 terminating and abandoning the 25' Road and Public Utility Easement.