BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA RESOLUTION NO.

A RESOLUTION VACATING DILLARD AVENUE, COUNTY ROAD NO. 502BD, IN THE COUNTY OF LAKE

WHEREAS, pursuant to the Public Streets, Highways, and Service Easements Vacation Law (California Streets and Highways Code, Section 8300, et seq.) the legislative body of a local agency may vacate any street, highway, or public service easement within its jurisdiction which is determined to be unnecessary for present or prospective public use; and

WHEREAS, this Board of Supervisors is the "legislative body" of the County of Lake ("County"), and a "local agency", as these terms are defined in Section 8304(a) and 8305 of the Streets and Highways Code; and

WHEREAS, the "vacation" of a "public service easement," "street," or "highway" as those terms are defined respectively in Sections 8309, 8306, and 8308 of the Streets and Highways Code, means the complete or partial abandonment or termination of the public right to use a street, alley, or public service easement; and

WHEREAS, the sole property owner on Dillard Avenue has requested the vacation of Dillard Avenue, a public roadway in the unincorporated area of the County of Lake; and

WHEREAS, Dillard Avenue is shown on that certain map entitled "Soda Bay Springs Subdivision" filed in the office of the County Assessor-Recorder on October 23, 1923 in Book 3 of Town Maps at pages 50 to 51 inclusive and as identified in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, although Dillard Avenue is presently a public roadway, the Community Development Department has determined that historically, it has been and is presently utilized as a driveway; and

WHEREAS, on November 18, 2021, the Lake County Planning Commission considered and approved an application for General Plan Conformity as to the proposed vacation of Dillard Avenue; and

WHEREAS, on December 7, 2021, and upon assurance from the County Public Works Department that the proposed vacation would not land lock any neighboring parcels, the Board of Supervisors approved A Resolution Declaring Intent to Vacate a Roadway Known as Dillard Avenue, County Road No. 502BD, in the County of Lake; and

WHEREAS, Dillard Avenue, as described herein and identified in Exhibit "A" hereto, is neither used nor improved for public street and roadway purposes; and

WHEREAS, notice of a public hearing on the proposed vacation now under consideration was given as required by sections 8322, 8323, and 8321 of the Streets and Highways Code and affidavits of publishing are on file with the Clerk of this Board; and

WHEREAS, a public hearing was held before this Board on January 11, 2022 and continued to this day and the Board heard all persons interested in the proposed vacation and has considered all evidence offered before voting on the proposed vacation.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors hereby finds and declares, and orders that:

- 1. The above recitals are true and correct.
- 2. That all of Dillard Avenue, as shown on that certain map entitled "Soda Bay Springs Subdivision" filed in the office of the County Assessor-Recorder on October 4, 1923 in Book 3 of Town Maps at pages 50 to 51 inclusive and as identified and shown in Exhibit "A", is hereby vacated.
- 3. That Dillard Avenue described herein and as identified and shown in Exhibit "A" is unnecessary for present or prospective public use.
- 4. That, based on evidence presented at the hearing, the Board finds the vacation of Dillard Avenue herein described to be in conformity with the County General Plan and to be in the public interest.
- 5. That the Clerk of this Board shall cause a certified copy of this Resolution, attested by the Clerk under seal, and such other legal documents as are prepared and executed in order to establish the vacation, to be recorded without acknowledgement, certificate of acknowledgement, or further proof in the Office of the Lake County Assessor-Recorder.
- 6. That any and all private access easements and public and/or public utility easements presently in existence shall remain in place.
- 7. That access easements of reasonable scope and description shall be granted to any neighboring property owners who presently have no such easements if the failure to do so would result in "landlocked" properties.
- 8. That upon recordation of a copy of this Resolution of Vacation, the vacation of Dillard Avenue shall be complete, with the condition that the vacated area cannot be used to comply with subdivision requirements.

| THIS RESOLUTION WAS PASSED All Supervisors of the County of Lake, State of C, 2022 by the following vote: | • |
|---|-----------------------|
| AYES | |
| NOES: | |
| ABSENT OR NOT VOTING: | |
| | |
| CHAIR, Board of Supervisors | |
| ATTEST: CAROL J. HUCHINGSON | APPROVED AS TO FORM: |
| Clerk of the Board of Supervisors | ANITA L. GRANT County |
| | Counsel / |
| By: | By: |

EXHIBIT "A"







