

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION VACATING AN UNIMPROVED ALLEY EASEMENT 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, a 15-foot wide alley is shown on that certain map entitled "Walter's Addition to Middletown" filed in the office of the County Recorder on February 3, 1891 in Book 1 of Town Maps at Page 52 and incorporated herein by reference; and

WHEREAS, on April 5, 2022, 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 An Alley Easement in the County of Lake; and

WHEREAS, the 15-foot wide alley as described herein is neither used nor improved for any public 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

**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. The said alley in the County of Lake, State of California, is described as follows: All of that 15-foot wide alley as shown on that certain map entitled "Walter's Addition to Middletown" filed in the office of the County Recorder of said Lake County on February 3, 1891 in Book 1 of Town Maps at Page 52 is hereby vacated.

Vacation Resolution, 15-foot Alley Middletown

3. That the 15-foot wide alley as described herein is unnecessary for present or prospective use.
4. That, based on evidence presented at the hearing, the Board finds the vacation of the 15-foot wide alley herein described to be in conformity with the County General Plan and to be in the public interest.
5. That any and all private access easements and public and/or public utility easements presently in existence shall remain in place
6. The Clerk is hereby directed to file a certified copy of this Resolution with the Recorder of the County of Lake.

THIS RESOLUTION was passed by the Board of Supervisors of the County of Lake at a regular meeting thereof held on \_\_\_\_\_, 2022, by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

ATTEST: SUSAN PARKER  
Clerk to the Board

\_\_\_\_\_  
Chair, Board of Supervisors

By: \_\_\_\_\_

APPROVED AS TO FORM:  
ANITA L. GRANT  
County Counsel

By:  \_\_\_\_\_