

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 6/17/2014	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of a resolution vacating Railroad Avenue (a paper street) by Summary Vacation, and finding that the project is exempt from Section 21000 et. seq. of the California Public Resources Code (CEQA), in the unincorporated community of Edna. District 3.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1) Adopt the attached resolution vacating the described portion of Railroad Avenue in the unincorporated community of Edna, by Summary Vacation, as it has been determined to be unnecessary for present or prospective use; and 2) Find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA).			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Nikki J. Schmidt			
(18) SUPERVISOR DISTRICT(S) District 3			

Reference: 14JUN17-C-5

County of San Luis Obispo



TO: Board of Supervisors
FROM: Public Works
Phil Acosta, Right of Way Agent
VIA: Dave Flynn, Deputy Director of Public Works
DATE: 6/17/2014

SUBJECT: Submittal of a resolution vacating Railroad Avenue (a paper street) by Summary Vacation, and finding that the project is exempt from Section 21000 et. seq. of the California Public Resources Code (CEQA), in the unincorporated community of Edna. District 3.

RECOMMENDATION

It is recommended that the Board:

- 1) Adopt the attached resolution vacating the described portion of Railroad Avenue in the unincorporated community of Edna, by Summary Vacation, as it has been determined to be unnecessary for present or prospective use; and
- 2) Find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA).

DISCUSSION

Railroad Avenue is an unimproved right of way established under a map recorded in 1894.

The property owner adjoining Railroad Avenue initiated a request to vacate to clarify title to recently purchased real property at Assessor's Parcel Number 044-131-002. It has been determined that Railroad Avenue Area has never been entered into the County Maintained Road System nor is it required for future trail use (planned Anza Trail) and is otherwise unnecessary for present or prospective use by the County.

Attachment "A" provides the complete legal description of the Railroad Avenue being abandoned.

Your approval of the recommended action will extinguish this last remaining portion of Railroad Avenue and its implied rights that may have been created by the mapping of the described street. No public funds have been used in maintaining said street. The Streets and Highways code allows for Summary Vacation under these circumstances.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed and approved the attached resolution as to legal form and effect.

A General Plan Conformity Report is not required as the vacation is minor in nature and in no way affects traffic circulation pursuant to Government Code 65402(b).

The County Environmental Coordinator has reviewed the project and determined that it is exempt from the requirements of the California Environmental Quality Act.

FINANCIAL CONSIDERATIONS

No direct financial impact is expected to result from the recommended Board action.

The applicant has entered into a reimbursement agreement with the department to cover staff costs related to the processing of their request. The reimbursable charges are estimated at under \$500.

RESULTS

The recommended action will clarify real property rights by eliminating unnecessary County encumbrances leading to a better governed community.

File: R/W file 405R970150 (Railroad Street - Gambriil)

Reference: 14JUN17-C-5

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ATTACHMENTS

1. Vicinity Map
2. Attachment A - Legal Description and Map
3. Attachment B - Notice of Exemption
4. Resolution Vacating Railroad Avenue, a Paper Street, by Summary Vacation in the Unincorporated Community of Edna, Supervisorial District No. 3