

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION VACATING A PORTION OF FRONT STREET, A PAPER STREET, AND THE PORTION OF ALLEY WAY IN BLOCK 55 BY SUMMARY VACATION IN THE UNINCORPORATED COMMUNITY OF OCEANO SUPERVISORIAL DISTRICT NO. 4

The following resolution is now offered and read:

WHEREAS, certain roadways were identified by “Map No. 2 of The Town of Oceano, San Luis Obispo County, California as recorded January 30, 1899 in Book A of Maps, at Page 148, in the office of the County Recorder of said County and State, more particularly described in Attachment “A,” attached hereto and made a part hereof; and

WHEREAS, the portion of Front Street and the portion of the alley way in Block 55 as described in Attachment “A” (hereafter, the “Subject Areas”) are not identified in the County Maintained Road System and are unnecessary for present or prospective public use; and

WHEREAS, this vacation is made pursuant to California Streets and Highways Code Section 8331; and

WHEREAS, the Planning Commission considered the vacation and reported on December 10, 2015, that said vacation is in conformity with the County General Plan; and

WHEREAS, the owner of the affected property has requested vacation of the Subject Areas to clarify title to their land; and

WHEREAS, the County Director of Public Works has recommended abandonment by Summary Vacation; and

WHEREAS, the abandonment is not subject to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. Seq.) because it is not a “Project” as defined by Section 15378 of the State CEQA Guidelines; and

WHEREAS, it is in the public interest that the Subject Areas be vacated.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of San Luis Obispo, State of California, finds, declares, and determines as follows:

1. That the recitals set forth above are true and correct.
2. That this Board finds, from all of the evidence submitted, that the Subject Areas, more particularly described in Attachment "A" attached hereto and made a part hereof, are unnecessary for present or prospective public use.
3. That this Board has determined, pursuant to Streets and Highways Code, Section 892, that the Subject Areas are not useful as a non-motorized transportation facility, as defined in Streets and Highways Code Section 887.
4. That it be and hereby is ordered that said Subject Areas in the unincorporated community of Oceano, and more particularly described in Attachment "A" attached hereto and made a part hereof, are vacated.
5. That in support of this Board's decision to summarily vacate said Subject Areas, this Board makes the following findings:
 - a. Vacation of Subject Areas will not impair public or private access.
 - b. Vacation of Subject Areas will not affect existing traffic circulation.
 - c. No public funds have been used in maintaining the Subject Areas.
 - d. No public facilities are located within the Subject Areas.
 - e. For a period of 5 consecutive years, the Subject Areas have been impassable for vehicular travel.
6. That prior to adopting this resolution, this Board considered the General Plan and the recommendation of the Planning Commission that said vacation is in conformity with the General Plan.
7. That the County Clerk of the County of San Luis Obispo be and hereby is ordered and directed to record a certified copy of this resolution, attested by the Clerk under seal, in the Office of the County Recorder of the County of San Luis Obispo, State of California.
8. That upon such recordation, the vacation is complete.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted on the ____ day of _____, 20__.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: 
Deputy County Counsel

Dated: December 30, 2015

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STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 20 _____.

County Clerk and Ex-Officio Clerk of the Board of Supervisors

By _____
Deputy Clerk.

(SEAL)

Attachment A

Legal Description

All of that territory being a portion of Front Street as shown on "Map No. 2 of the Town of Oceano" filed in Book A of Maps at Page 148, in the Office of the County Recorder, County of San Luis Obispo, State of California being more particularly described as follows;

bounded on the east by the southwest line of Block 55 and southeasterly projection of said southwest line; bounded on the south by the westerly projection of the north line of River Street; bounded on the west by the northwesterly projection of the northeasterly line of the Southern Pacific Railroad Company right of way; and bounded on the north by the westerly projection of the north line of said Block 55, all as shown on said map.

TOGETHER WITH that portion of said map being more particularly described as follows;

Bounded on the north by the south line of Block 55; bounded on the east by the southerly projection of the east line of said Block 55; and bounded on the west by the southeasterly projection of the southwest line of said Block 55, all as shown on said Map No. 2 of the Town of Oceano.

End of description



Douglas A. Rion

12/22/2015