

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION VACATING PORTIONS OF CIRCLE LANE AND CIRCLE DRIVE BY SUMMARY VACATION IN CAYUCOS, SUPERVISORIAL DISTRICT NO. 2

The following resolution is now offered and read:

WHEREAS, Circle Lane and Circle Drive, Cayucos were created by the map of the Paso Robles Beach Subdivision No. 3, recorded in Map Book 3, Page 115, February 7, 1929 in the Office of the County Recorder; and

WHEREAS, the portions of Circle Lane and Circle Drive as described in Attachment "A" (hereafter, the "Subject Area") are not identified in the County Maintained Road System; and

WHEREAS, the Subject Area is determined to be excess to County needs, and there are no other public facilities located within the easement as described; and

WHEREAS, the Subject Area is unnecessary for present or prospective public use and the County Director of Public Works has recommended abandonment by Summary Vacation; and

WHEREAS, the Planning Commission considered the proposed vacation and reported on July 28, 2016, that said vacation is in conformity with the General Plan; and

WHEREAS, Section 21084 of the California Environmental Quality Act (CEQA) specifies that certain classes of projects do not have a significant effect on the environment, and Section 15301(c) of the State CEQA guidelines provides that the minor alteration of existing public highways and streets is exempt from the requirements of CEQA where no unusual environmental circumstances exist; and

WHEREAS, this vacation is made pursuant to California Streets and Highways Code Sections 8330 through 8336; and

WHEREAS, it is in the public interest that the Subject Area 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 Area, more particularly described in Attachment "A" attached hereto and made a part hereof, is unnecessary for present or prospective public use.
3. That this Board has determined, pursuant to Streets and Highways Code, Section 892, that the Subject Area is 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 Area, in Cayucos, and more particularly described in Attachment "A" attached hereto and made a part hereof, is vacated.
5. That in support of this Board's decision to summarily vacate said Subject Area, this Board makes the following findings:
 - a. The Subject Area is determined to be excess to County needs.
 - b. There are no other public facilities located within the Subject Area as described.
 - c. Vacation of Subject Area will not impair public or private access.
 - d. Vacation of Subject Area will not affect existing traffic circulation.
 - e. This vacation is in the public interest.
6. That prior to adopting this resolution, this Board considered the General Plan and the recommendation of the Planning Director that said vacation of the Subject Areas, is in conformity with the General Plan.
7. That the road vacation is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of the State CEQA Guidelines because the action consists of a minor alteration of an implied public easement where no unusual environmental circumstances exist.
8. 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.
9. 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

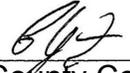
ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: 
Deputy County Counsel

Dated: August 24, 2016

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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 _____.

(SEAL)

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

By _____
Deputy Clerk

ATTACHMENT "A"
LEGAL DESCRIPTION OF
ROAD ABANDONMENT

That real property in the Town of Cayucos, County of San Luis Obispo, State of California being portions of the "40 FT. Lane", now known as Circle Lane, and Circle Drive as shown on the map of Paso Robles Beach No. 3 filed in Book 3 of Maps at Page 115, records of said County, and also shown on and the following bearings and distances derived from the map filed in Book 77 of Licensed Surveys at Page 3, records of said County, more particularly described as follows:

Beginning at the southerly corner common to Lots 3 and 4 of Block 10 as shown on said map filed in Book 3 of Maps at Page 115, said corner being on the northerly right-of-way of Circle Drive; thence along said right-of-way the following two courses

1. North 69°01'00" East, 6.92 feet; thence
2. along the arc of a tangent curve to the right having a radius of 125.00 feet, through a central angle of 16°44'13", for an arc length of 36.51 feet to the westerly right-of-way of California State Highway 1; thence along said westerly right-of-way
3. South 34°03'15" East, 30.11 feet to the centerline of Circle Drive; thence along said centerline of Circle Drive
4. along the arc of a non-tangent curve to the left having a radius of 100.00 feet, through a central angle of 25°20'42", the radial of which bears North 04°21'42" East, for an arc length of 44.24 feet; thence continuing along said centerline
5. South 69°01'00" West, 102.29 feet to a point on a line which is perpendicular to this course and said line also being tangent to an arc having a 60.00 foot radius and said arc being concentric with the 20.00 foot radius arc of Lot 31 of Block 1 of Paso Robles Beach No. 2 as shown on the map filed in Book 3 of Maps at Page 108; thence along said perpendicular and tangent line
6. North 20°59'00" West, 45.00 feet; thence
7. along the arc of a tangent curve to the left having a radius of 60.00 feet, through a central angle of 42°11'26", for an arc length of 44.18 feet to the northeasterly right-of-way of Circle Lane and point of tangent cusp; thence along the right-of-way of Circle Lane and Circle Drive the following three courses

Tuesday, August 02, 2016; 3:18 PM
M:\16-048 1893 Circle Lane, Cayucos\Legal Descriptions\16-048 Abandonment.docx
Randy Ellison, LS7065

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ATTACHMENT "A"
LEGAL DESCRIPTION OF
ROAD ABANDONMENT

8. South 63°10'26" East, 59.22 feet; thence
9. along the arc of a tangent curve to the left having a radius of 50.00 feet, through a central angle of 47°48'34", for an arc length of 41.72 feet; thence
10. North 69°01'00" East, 34.10 feet to the **Point of Beginning**.

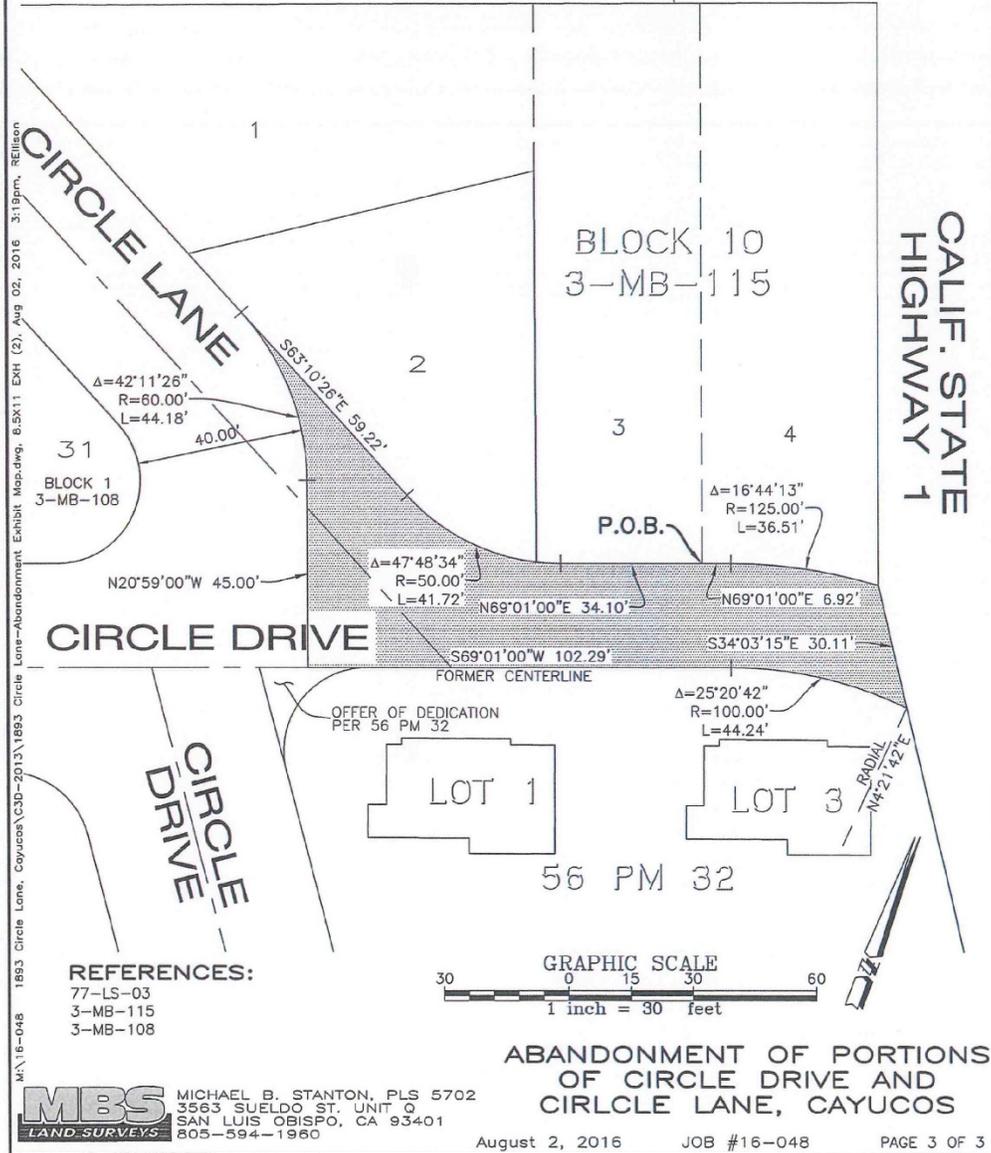
The above described property contains 4535 square feet of land, more or less and is shown graphically on Page 3 of 3 attached hereto and incorporated herein.

* * *



 8-2-2016
Michael B. Stanton, PLS5702 Date

ATTACHMENT "A" PLAT OF ROAD ABANDONMENT



RESERVATIONS AND EXCEPTIONS

RESERVING and EXCEPTING from the said vacation, unto the Pacific Gas and Electric Company (PG&E), Charter Communications, Cayucos Sanitation District, AT&T, Southern California Gas Company (SoCalGas), and Paso Robles Beach Water Systems, pursuant to the provisions of Section 8340 of the Streets and Highways Code, any easement and right necessary at any time, or from time to time, to construct, maintain, operate, replace, remove, renew and enlarge their respective public utility facilities, and all facilities incidental thereto, including access to protect the property from hazards, said area shall also be kept open and free of buildings, structures and wells of any kind in, upon, and over the road herewith vacated.

In accordance with Section 8352 of the Streets and Highways Code, said vacation is not intended to extinguish any private rights of access that may exist in favor of the properties fronting the Subject Area described hereinabove.

**ATTACHMENT A
Supplement**