

DEPARTMENT: Public Works

By: Michael D. Edwards

Phone: 966-5356

**RECOMMENDED ACTION AND JUSTIFICATION:**

(Policy Item: Yes  No )

Public Works recommends that the Board adopt the attached resolution of Summary Abandonment of the Public Utility Easements and one of the road easements as shown on the map of FAIRPARKS UNIT NO. ONE, Map No. 2266, Mariposa County Records.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

On November 3, 1987, the Board approved the map of FAIRPARKS UNIT NO. ONE and accepted the dedications of Public Utility Easements shown on the map. The road easement that would be abandoned by this resolution was rejected by the Board at that time.

On January 24, 1995, the Planning Commission approved Lot Line Adjustment No. 428 which allows the owner and original subdivider to reconfigure the boundaries of all of the lots within this subdivision.

The owner, through his authorized agent, has requested the abandonment of the Public Utility Easements and one of the road easements shown the map of FAIRPARKS UNIT NO. ONE because these easements run through the middle of the lots after the reconfiguration allowed by Lot Line Adjustment No. 428. The owner has also agreed to dedicate new Public Utility Easements to serve all of the reconfigured lots.

**LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

If the abandonment is not approved, Public Utility Easements and one road easement will remain running through the middle of some of these reconfigured lots.

COSTS: ( X ) Not Applicable

A. Budgeted current FY> \$ \_\_\_\_\_

B. Total anticipated Costs> \$ \_\_\_\_\_

C. Required additional funding> \$ \_\_\_\_\_

D. Internal transfers> \$ \_\_\_\_\_

COSTS: ( ) 4/5th Vote Required

A. Unanticipated revenues> \$ \_\_\_\_\_

B. Reserve for contingencies> \$ \_\_\_\_\_

C. Source description: > \_\_\_\_\_

Balance in Reserve Contingencies, If Approved:  
\$ \_\_\_\_\_

**SPECIAL INSTRUCTIONS:**  
List the attachments and number the pages consecutively:

1. Letter Requesting Abandonment \_\_\_\_\_

2. Letter from P.G. & E. \_\_\_\_\_

3. Letter from Pacific Telephone Co. \_\_\_\_\_

4. Resolution of Abandonment \_\_\_\_\_

5. Exhibit Map \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CLERK'S USE ONLY**

Res. No.: 95-498 Ord. No.: \_\_\_\_\_

Vote - Ayes: 4 Noes: \_\_\_\_\_

Absent: Taber Abstained: \_\_\_\_\_

Approved  Denied

Minute Order Attached  No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office

Date: \_\_\_\_\_

ATTEST: \_\_\_\_\_

MARGIE WILLIAMS, Clerk of the Board

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

Deputy

**ADMINISTRATIVE OFFICER'S RECOMMENDATION:**

This item on agenda as:

\_\_\_\_\_ Recommended

\_\_\_\_\_ Not Recommended

\_\_\_\_\_ For Policy Determination

\_\_\_\_\_ Submitted for Comment

\_\_\_\_\_ Returned for Further Action

Comment: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# **FREEMAN & SEAMAN LAND SURVEYORS**

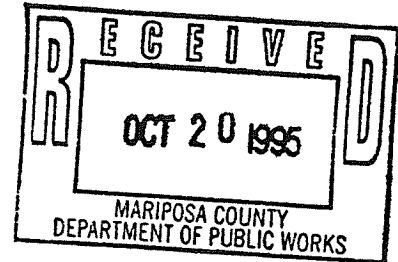
5037 Bullion St. / P.O. Box 1305  
Mariposa, Ca. 95338  
(209) 966-3926

40671-B Hwy 41 / P.O. Box 2072  
Oakhurst, Ca. 93644  
(209) 683-4797

*Serving the Central California Foothill Communities since 1970*

October 19, 1995

Mariposa County Public Works Dept.  
4639 Ben Hur Road  
Mariposa, CA 95338



Attn: Mike Edwards, Public Works Director  
Ref: LLA 428

Dear Mike:

My clients, Tim and Carol Manly would like to formally request the summary abandonment of all easements for public utilities which were offered for dedication and accepted by Mariposa County on the "Map of Fairparks Unit No. One" recorded in the Book of Maps at page 2266. The Manlys will be offering new public utility easements which will follow the new property lines approved by LLA 428. The offer will be made on a Record of Survey Map which is now nearing completion. If you have any questions please give me a call.

Sincerely,

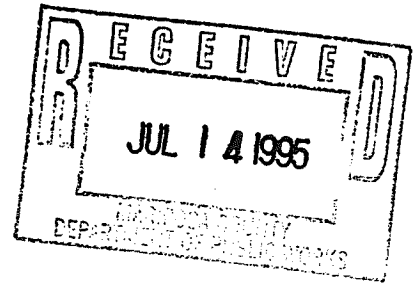
A handwritten signature in black ink, appearing to read "Richard A. Seaman", written over a horizontal line.

Richard A. Seaman,  
Agent for Tim and Carol Manly

RAS/ec

Pacific Gas and Electric Company

5166 Jones  
P.O. Box 158  
Mariposa, CA 95338  
209/966-3446



July 14, 1995



Mike Edwards  
Director of Public Works  
Mariposa County  
4639 Ben Hur Rd  
Mariposa, CA 95338

Re: PUE Abandonment

Dear Mr. Edwards:

This letter is in response to a request from Freeman & Seaman Land Surveyors regarding the proposed abandonment of PUE's located within Fairparks, record of survey 2266.

P.G. & E. has no facilities in the said PUE, and has no objections to the abandonment and rededication as proposed in this matter.

If you have any questions regarding this matter, please call me at 966-3446.

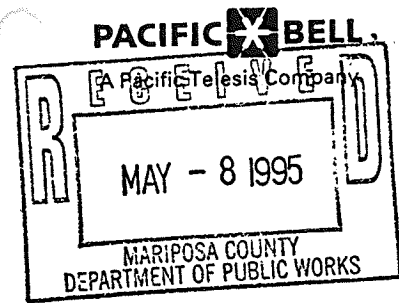
Sincerely,

A handwritten signature in cursive script that reads "Brian McFaden".

BRIAN MC FADEN  
Manager

Right of Way  
2300 East Eight Mile Road  
Stockton, California 95210

May 2, 1995



Mike Edwards  
Director of Public Works  
Mariposa County  
4639 Ben Hur Road  
Mariposa, CA 95338

Dear Mr. Edwards:

This letter is written in response to a request from Freeman & Seaman Land Surveyors regarding the proposed abandonment and relocation of several Public Utility Easement's located within Fairparks Unit No. One and the Record of Survey 2266.

Pacific Bell has no facilities in the Public Utility Easements in question, and therefore has no objection to the abandonment and rededication as outlined in the attached letter.

If you have any questions, please call me on 209-474-4130.

Sincerely,

*Lori Wagner*  
Lori Wagner  
Right of Way Administrator

cc: Richard A. Seaman, L.S.

ATTACHMENT 1

MARIPOSA COUNTY  
RESOLUTION 95-498

A RESOLUTION FOR THE SUMMARY ABANDONMENT OF THE PUBLIC UTILITY EASEMENTS SHOWN ON THE MAP OF FAIRPARKS UNIT NO. ONE, MAP NO. 2266, MARIPOSA COUNTY RECORDS

WHEREAS, the public utility easements shown on the map of Fairparks Unit One, Map No. 2266, Mariposa County Records have not been used for the purpose for which they were dedicated for five consecutive years and,

WHEREAS, the owner of said subdivision, through his authorized agent, has requested that these easements be vacated,


NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Mariposa, as follows:

That all of the Public Utility Easements shown on the map of Fairparks Unit One, Map No. 2266, Mariposa County Records and the 60' wide Non-exclusive Public Road and Utility Easement along the northeasterly line of Lot 3 as shown on said map and also shown on the attached "Exhibit Map" are hereby summarily vacated. From and after the date this resolution is recorded in the office of the Mariposa County Recorder, these easements will be vacated and no longer constitute public service easements: RESOLUTION NO 95 - 498.

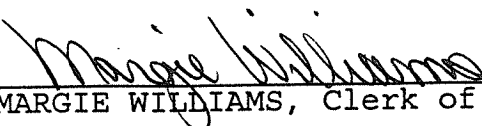
PASSED AND ADOPTED by the Mariposa County Board of Supervisors this

14th day of November, 1995, by the following vote:

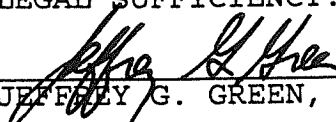
AYES:	REILLY, BALMAIN, STEWART, PARKER
NOES:	NONE
ABSENT:	TABER
ABSTAINED:	NONE

  
GARRY R. PARKER, Chairman  
Mariposa County Board of Supervisors

ATTEST:

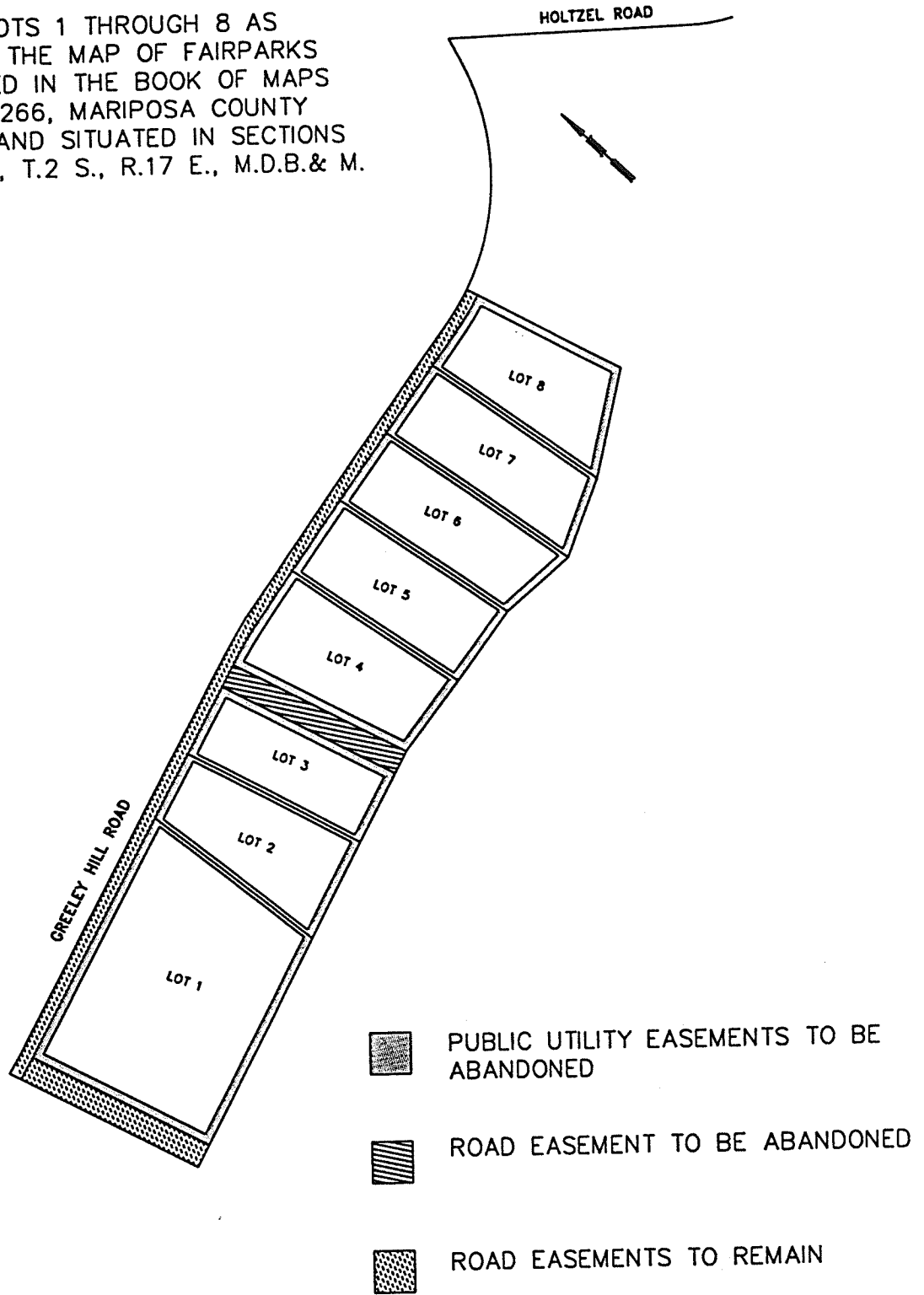
  
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
JEFFREY G. GREEN, County Counsel

# EXHIBIT MAP

SHOWING LOTS 1 THROUGH 8 AS SHOWN ON THE MAP OF FAIRPARKS UNIT 1 FILED IN THE BOOK OF MAPS AT PAGE 2266, MARIPOSA COUNTY RECORDS, AND SITUATED IN SECTIONS 19 AND 30, T.2 S., R.17 E., M.D.B.& M.



## MARIPOSA COUNTY ENGINEERING DEPARTMENT

Drawn Chas  
 Checked \_\_\_\_\_  
 Date 11/1/95

Sheet 1 of 1  
 Scale: 1"=400'

### EXHIBIT MAP FOR FAIRPARKS UNIT 1

Approved By \_\_\_\_\_  
 Engineer \_\_\_\_\_

Dwg. No. \_\_\_\_\_

# Mariposa County Board of Supervisors



District 1.....PATTI A. REILLY  
District 2.....DOUG BALMAIN  
District 3.....ROBERT C. STEWART  
District 4.....GARRY R. PARKER  
District 5.....GERTRUDE R. TABER

MIKE COFFIELD  
County Administrative Officer

MARGIE WILLIAMS  
Clerk of the Board

P.O. Box 784  
MARIPOSA, CALIFORNIA 95338  
(209) 966-3222  
1-800-736-1252

FAX (209) 966-5147

November 27, 1995

State of California  
Department of Forestry  
Attn.: Pete Marquez

Carolyn Jones  
(911 Services)  
Post Office Box 276  
Mariposa, CA 95338

Mike Edwards  
Public Works Director  
Mariposa County

John C. Fremont Healthcare Dist.  
Post Office Box 216  
Mariposa, CA 95338

Sierra Telephone  
Attn.: Linda Burton  
Oakhurst, CA 93644

Mr. Terry Hicks, Postmaster  
United States Post Office  
Coulterville, CA 95338

Department of Human Services  
Attn.: Susie Gordo  
Mariposa, CA 95338

United States  
Forest Service  
Mariposa, CA 95338

Dan Tinnel  
Fire Chief/Emergency  
Services Officer  
Mariposa County

Ed Johnson  
Planning & Building Director  
Mariposa County

Sierra Telephone  
Attn.: John Warner  
Oakhurst, CA 93644

Postmaster  
U.S. Postal Service  
Mariposa, CA 95338

Pacific Gas and Electric  
Attn.: Butch Johnson  
Mariposa, CA 95338

Mariposa County  
Unified School Dist.  
Mariposa, CA 95338

Gary Estep  
Assessor/Recorder  
Mariposa County

Don Z. Phillips  
County Clerk  
Mariposa County

Roger Matlock  
Sheriff  
Mariposa County

Pacific Bell  
Attn.: George Eason  
Merced, CA 95340

United Parcel Service  
Attn.: Rick Pickett  
Merced, CA 95340

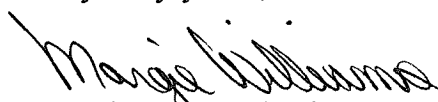
Mercy Ambulance  
Attn.: Gene Poole  
Mariposa, CA 95338

Mariposa Yosemite  
Chamber of  
Commerce  
Mariposa, CA 95338

TO: THOSE LISTED

Please be advised that at the Board meeting of November 14, 1995, the Mariposa County Board of Supervisors by Resolution Number 95-498 abandoned public utility easements and a road easement as shown on the attached map of "Fairparks Unit No. One", Map No. 2266.

Very truly yours,

  
MARGIE WILLIAMS  
Clerk of the Board

*11/27 mailed*

Attachment

BDWK/BOARD/RDNM

