

DEPARTMENT: Public Works

BY: Dana Hertfelder

PHONE: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

Authorize vacation of a portion of the easement as shown on Parcel Map Book 22, Page 17, Mariposa County Records. The easement to be vacated lies within Parcel A and Parcel B as shown on said Parcel Map.

This easement was originally required as a condition of approval for Land Division Application No. 1185. No road was ever constructed within this easement. A description of this easement has been submitted to the Public Works Department.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The portion of the easement proposed to be vacated has never been improved and there are no public utilities located within the easement.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve; the easement through Parcel A and Parcel B will continue to exist on record.

Financial Impact? () Yes (x) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$		List Attachments, number pages consecutively
Additional Funding Needed: \$		1. Property owner's letters requesting vacation.
Source:		2. Descriptions of vacation.
Internal Transfer		3. P.G. &E. letter.
Unanticipated Revenue	4/5's vote	4. Parcel Map Book 22, Page 17, Mariposa County
Transfer Between Funds	4/5's vote	Records.
Contingency	4/5's vote	5. Resolution
() General () Other		6. Notice of Public Hearing

CLERK'S USE ONLY:

Res. No.: 09-262 Ord. No. _____
 Vote - Ayes: 4 Noes: _____
 Absent: Sibby
 Approved
 Minute Order Attached No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments:

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

Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California

By: _____
 Deputy

CAO: [Signature]

MARIPOSA COUNTY RESOLUTION NO. 09-262

RESOLUTION AUTHORIZING THE VACATION OF A PORTION OF A NON-EXCLUSIVE PUBLIC ROAD AND UTILITY EASEMENT LOCATED NORTHERLY OF HOLTZEL ROAD

WHEREAS, the Board of Supervisors gave notice of a Public Hearing and said Public Hearing was held on June 2, 2009.

NOW THEREFORE, BE IT RESOLVED by the Mariposa County Board of Supervisors, a political subdivision of the State of California, that the Board hereby determines and orders as follows:

1. The County of Mariposa, by and through its Board of Supervisors, summarily vacates the easement described in this resolution pursuant to Street & Highways Code , Division 9, chapter 3, § 8320 to 8325.
2. The easement hereby vacated is more particularly described in Exhibit "A" attached hereto, and by reference, made a part hereof.

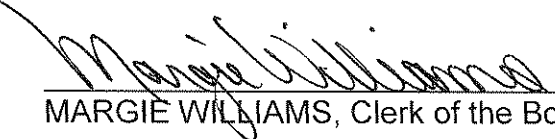
PASSED AND ADOPTED by the Mariposa County Board of Supervisors, this 2nd day of June, 2009, by the following vote:

AYES: Aborn, Turpin, Cann, Allen
NOES: None
ABSENT: Bibby
ABSTAINED: None



BRAD ABORN, Chair
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM



STEVEN W. DAHLEM, County Counsel

- Recorder
Mariposa Co Official Records

Recorded at the request of
Mariposa County

LJ
6/11/2009
10:26 AM

DOC#: **2092309**



Titles: 1 Pages: **27**

Fees	0.00
Taxes	0.00
Others	0.00
PAID	<u>\$0.00</u>

When recorded, return to:

Mariposa County
Department of Public Works
4639 Ben Hur Road
Mariposa, CA 95338

MARIPOSA COUNTY RESOLUTION NO. 09-262
VACATION OF A PORTION OF A NON-EXCLUSIVE PUBLIC ROAD AND
UTILITY EASEMENT LOCATED NORTHERLY OF HOLTZEL ROAD

DEPARTMENT: Public Works

BY: Dana Henfelder **209 2309**
PHONE: 966-5356
RECEIVED
JUN 10 2009
MARIPOSA COUNTY

RECOMMENDED ACTION AND JUSTIFICATION:

Authorize vacation of a portion of the easement as shown on Parcel Map Book 22, Page 17, Mariposa County Records. The easement to be vacated lies within Parcel A and Parcel B as shown on said Parcel Map.

This easement was originally required as a condition of approval for Land Division Application No. 1185. No road was ever constructed within this easement. A description of this easement has been submitted to the Public Works Department.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The portion of the easement proposed to be vacated has never been improved and there are no public utilities located within the easement.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve; the easement through Parcel A and Parcel B will continue to exist on record.

Financial Impact? () Yes (x) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		1. Property owner's letters requesting vacation.
Source:		2. Descriptions of vacation.
Internal Transfer _____		3. P.G. &E. letter.
Unanticipated Revenue _____ 4/5's vote		4. Parcel Map Book 22, Page 17, Mariposa County
Transfer Between Funds _____ 4/5's vote		Records.
Contingency _____ 4/5's vote		5. Resolution
() General () Other		6. Notice of Public Hearing

CLERK'S USE ONLY:

Res. No.: 09-262 Ord. No. _____
Vote - Ayes: 4 Noes: _____
Absent: Bobby
() Approved
() 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
County of Mariposa, State of California
By: _____
Deputy

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments:

CAO: [Signature]

*cc July 6/10/09
dp*

MARIPOSA COUNTY RESOLUTION NO. 09-262

RESOLUTION AUTHORIZING THE VACATION OF A PORTION OF A NON-EXCLUSIVE PUBLIC ROAD AND UTILITY EASEMENT LOCATED NORTHERLY OF HOLTZEL ROAD

WHEREAS, the Board of Supervisors gave notice of a Public Hearing and said Public Hearing was held on June 2, 2009.

NOW THEREFORE, BE IT RESOLVED by the Mariposa County Board of Supervisors, a political subdivision of the State of California, that the Board hereby determines and orders as follows:

1. The County of Mariposa, by and through its Board of Supervisors, summarily vacates the easement described in this resolution pursuant to Street & Highways Code, Division 9, chapter 3, § 8320 to 8325.
2. The easement hereby vacated is more particularly described in Exhibit "A" attached hereto, and by reference, made a part hereof.


PASSED AND ADOPTED by the Mariposa County Board of Supervisors, this 2nd day of June, 2009, by the following vote:

AYES: Aborn, Turpin, Cann, Allen
 NOES: None
 ABSENT: Bibby
 ABSTAINED: None



 BRAD ABORN, Chair
 Mariposa County Board of Supervisors

ATTEST:



 MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM



 STEVEN W. DAHLEM, County Counsel

EXHIBIT A

LEGAL DESCRIPTION

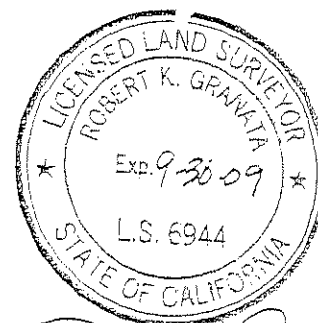
Abandonment of Public Road and Utility Easement in
Parcel B of Parcel Map for Ivan Metzger, recorded in
Book 22 of Parcel Maps at Page 17,
Mariposa County Records,
Mariposa County California

All that portion of the 60 foot wide non-exclusive public road and utility easement and turnaround, dedicated to Mariposa County, lying in Parcel B of the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County California, being more particularly described as follows:

Beginning at the southwest corner of Parcel B as shown on the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County, California; thence S78°54'58"E 61.21 feet along the southerly line of said parcel; thence N00°18'20"W 312.84 feet parallel with and 60 feet westerly of the west line of said parcel to the beginning of a non-tangent 45 foot radius curve, concave to the northwest, whose center of circle bears N19°46'36"W, through a central angle of 47°26'54" and an arc length of 37.27 feet to a point on the northerly line of said parcel; thence N78°45'55"W 88.18 feet along said northerly line to the northwest corner of said parcel; thence S00°18'20"E 343.18 feet along the westerly line of said parcel to the point of beginning.

Containing 21,077 square feet, more or less.

Prepared by:
Robert K. Granata, L.S. 6944
Granata Land Surveying
9539 Dolores Street
La Grange, CA 95329



R. K. Granata

EXHIBIT 'B'

2092309

ABANDONMENT OF EASEMENT IN
PARCEL B, "PARCEL MAP FOR IVAN METZGER"
BOOK 22, PARCEL MAPS, PAGE 17, MARIPOSA COUNTY RECORDS

PARCEL A
22 P.M. 17

LOT 6
MILLBROW
ESTATES

N 76°45'55" W
88.18'

P=45.00
Delta=47°26'54"
L=37.27
Tan=19.78

PARCEL B
22 P.M. 17

60' WIDE PUBLIC ROAD AND UTILITY
EASEMENT TO BE ABANDONED.

S 00°18'20" E 343.18'

N 19°46'36" W RADIAL

N 00°18'23" W 312.84'

POINT OF BEGINNING

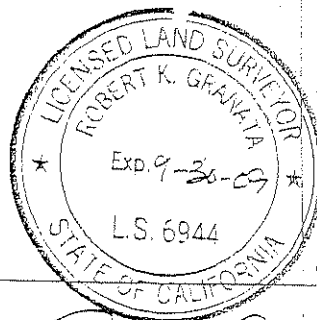
S 76°54'58" E
61.21'

PARCEL D
22 P.M. 17

LOT 7
MILLBROW
ESTATES

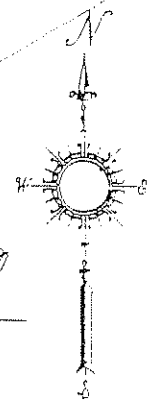
PARCEL C
22 P.M. 17

HOLTZEL
ROAD



1-29-09

Robert K. Granata

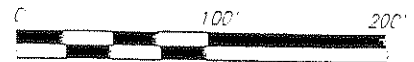


Granata Land Surveying

ROBERT K. GRANATA L.S. 6944 · 9539 DOLOROSA STREET · LA GRANGE CA. 95329

PHONE: (209) 852-9640

EMAIL: rgranata@hughes.net



SCALE 1" = 100'

LEGAL DESCRIPTION

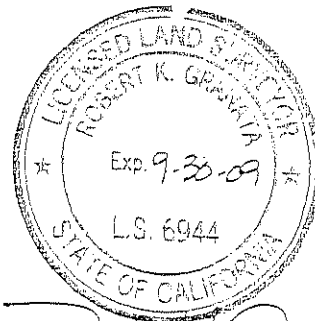
Abandonment of Public Road and Utility Easement in
Parcel A of Parcel Map for Ivan Metzger, recorded in
Book 22 of Parcel Maps at Page 17,
Mariposa County Records,
Mariposa County California

All that portion of the 60 foot wide non-exclusive public road and utility easement and turnaround, dedicated to Mariposa County, lying in Parcel A of the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County California, being more particularly described as follows:

Beginning at the southwest corner of Parcel A as shown on the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County, California; thence S78°45'55"E 88.18 feet along the south line of said parcel to the start of a non-tangent 45 foot radius curve, concave to the southwest, whose center of circle bears N67°13'31"W, through a central angle of 203°04'49" and an arc length of 159.50 feet to the Point of Beginning of this description.

Containing 3,986 square feet, more or less.

Prepared by:
Robert K. Granata, L.S. 6944
Granata Land Surveying
9539 Dolorosa Street
La Grange, CA 95329



1-29-09

Robert K. Granata

EXHIBIT 'B'

2092309

ABANDONMENT OF EASEMENT IN
PARCEL A, "PARCEL MAP FOR IVAN METZGER"
BOOK 22, PARCEL MAPS, PAGE 17, MARIPOSA COUNTY RECORDS

MILLBROW LANE

LOT 2

PARCEL A
22 P.M. 17

R=45.00
Delta = 203°04'49"
L=159.50
Tan=226.39

PUBLIC ROAD AND UTILITY EASEMENT
AREA TO BE ABANDONED

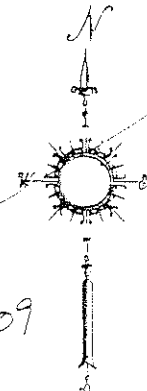
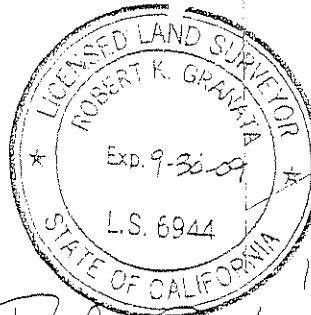
N 67°13'31" W RADIAL

POINT OF BEGINNING

S 76°45'55" E
88.18'

LOT 8
MILLBROW
ESTATES

PARCEL B
22 P.M. 17



1-29-09

Granata Land Surveying

ROBERT K. GRANATA, L.S. 6944 • 9539 DOLOROSA STREET • LA GRANGE, CA 95329
PHONE (209) 852-9640
EMAIL: rgranata@hugnes.net



SCALE 1" = 100'

2092309

Catherine L. Kimball
10240 Holtzel Road
Coulterville, CA 95311
209-878-3702

11 FEBRUARY 2009

COUNTY OF MARIPOSA
DEPARTMENT OF PUBLIC WORKS
ATTN: JERRY FREEMAN, COUNTY SURVEYOR
4639 BEN HUR ROAD
MARIPOSA CA 95338

RE: VACATION OF A PORTION OF EASEMENT AS DELINEATED ON PARCEL MAP BOOK 22,
PAGE 17, MARIPOSA COUNTY RECORDS

Dear Mr. Freeman:

Per our recent telephone conversation, this letter on behalf of myself and the other property owners involved respectfully request the above-cited matter be scheduled as an agenda matter to be heard before the Board of Supervisors at your earliest convenience. I have attached all required documents, maps, legal descriptions & letters.

We appreciate your due diligence in this matter. Please notify me as to the date and time of the hearing.

Respectfully submitted,


Catherine L. Kimball

cc: DANA HERTFELDER, DIRECTOR OF PUBLIC WORKS

①
ATTACHMENT #1

8

Catherine L. Kimball
10240 Holtzel Road
Coulterville, CA 95311
209-878-3702

26 JANUARY 2009

COUNTY OF MARIPOSA
DEPARTMENT OF PUBLIC WORKS
ATTN: JERRY FREEMAN, COUNTY SURVEYOR
4639 BEN HUR ROAD
MARIPOSA CA 95338

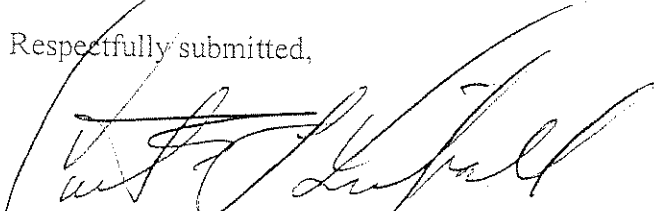
RE: SUPPLEMENTARY UTILITY INFORMATION
VACATION OF A PORTION OF EASEMENT AS DELINEATED ON PARCEL MAP BOOK 22,
PAGE 17, MARIPOSA COUNTY RECORDS

Dear Mr. Freeman:

With regard to the two portions of the above-referenced easement that we are applying to the Board of Supervisors to vacate, a full explanation of all utilities associated with those two parcels is as follows:

1. Parcel A of Parcel Map Book 22, Page 17, Mariposa County Records, has underground P.G.& E. lines to the well pump and pump meter. There are no structures on the property, except for the pump house, and no overhead lines. P.G.& E. has historically and continuously accessed the meter by way of the driveway on the property accessible from Millbrow Lane only. The subject easement has never been used by P.G.&E., or any other utility company or person. There are no other utilities on that parcel.
2. Parcel B of Parcel Map Book 22, Page 17, Mariposa County Records, has no utilities at all on the property and will be dissolved as a separate parcel once I merge that parcel into my current residential parcel.

Respectfully submitted,



Catherine L. Kimball

cc: DANA HERTFELDER, DIRECTOR OF PUBLIC WORKS

Carl & Dana Lundstrom
1782 East Utah Avenue
Fresno CA 93720
559-974-0646

23 JANUARY 2009

COUNTY OF MARIPOSA
DEPARTMENT OF PUBLIC WORKS
ATTN: JERRY FREEMAN, COUNTY SURVEYOR
4639 BEN HUR ROAD
MARIPOSA CA 95338

RE: VACATION OF A PORTION OF EASEMENT AS DELINEATED ON PARCEL MAP BOOK 22,
PAGE 17, MARIPOSA COUNTY RECORDS

Dear Mr. Freeman:

Pursuant to your meeting with, and follow-up letter to, Ms. Catherine Kimball, we, the undersigned, Carl & Dana Lundstrom, are writing this letter as owners of Parcel No. 004-260-009 (**Parcel A as shown on Parcel Map Book 22, Page 17, Mariposa County Records**) to request vacation of that cul-de-sac portion of the Non-Exclusive Easement as delineated on Parcel Map Book 22, Page 17, Mariposa County Records which encumbers our Parcel No. 004-260-009.

This portion of the easement that is the subject of this letter of request is for all intents and purposes abandoned, inasmuch as it has not been utilized in over 20 years. There are no improvements (structures) on this parcel except for a pump house.


The original purpose of the easement was to access the two landlocked parcels, i.e., our Parcel No. 004-260-009 (**Parcel A as shown on Parcel Map Book 22, Page 17, Mariposa County Records**) and Assessor's Parcel No. 004-260-010 (**Parcel B as shown on Parcel Map Book 22, Page 17, Mariposa County Records**), which is owned jointly by Catherine Kimball and Karen Wilson. *Their request for abandonment is accompanying this letter of request.* When Millbrow Lane (a public road) was constructed, our parcel was no longer landlocked. The access to our parcel is from Millbrow Lane via a driveway we created to our property from Millbrow Lane, so the cul-de-sac is not needed, nor due to the layout of the parcel is it feasible to use it, to access our property.

The only adjacent landowner(s) not a party to this request for vacation that would possibly be affected or would have an interest in these vacation requests is Nora Lemmings, owner of APN 004-260-015. Her letter of consent is accompanying this letter

of request. Also included are those items listed in the letter of request for vacation from Catherine Kimball and Karen Wilson.

Thank you for your time and consideration in this matter. We appreciate your willingness to assist.

Respectfully submitted,



Carl Lundstrom



Dana Lundstrom

cc: DANA HERTFELDER, DIRECTOR OF PUBLIC WORKS

23 JANUARY 2009

COUNTY OF MARIPOSA
DEPARTMENT OF PUBLIC WORKS
ATTN: JERRY FREEMAN, COUNTY SURVEYOR
4639 BEN HUR ROAD
MARIPOSA CA 95338

RE: VACATION OF A PORTION OF EASEMENT AS DELINEATED ON PARCEL MAP BOOK 22,
PAGE 17, MARIPOSA COUNTY RECORDS

Dear Mr. Freeman:

Pursuant to your meeting with, and follow-up letter to, Ms. Catherine Kimball, owner of Assessor's Parcel No. 004-260-007, and co-owner of Assessor's Parcel No. 004-260-010 (**Parcel B as shown on Parcel Map Book 22, Page 17, Mariposa County Records**), we, the undersigned, Catherine Kimball and Karen Wilson, are jointly writing this letter as co-owners of Parcel No. 004-260-010 (**Parcel B as shown on Parcel Map Book 22, Page 17, Mariposa County Records**) to request vacation of that portion of the Non-Exclusive Easement as delineated on Parcel Map Book 22, Page 17, Mariposa County Records which encumbers our Parcel No. 004-260-010.

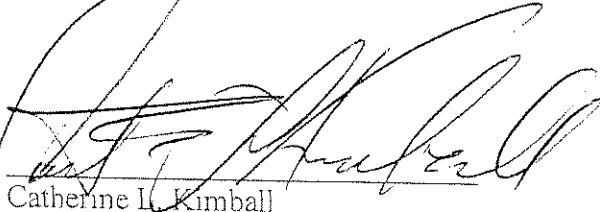
This portion of the easement that is the subject of this letter of request is for all intents and purposes abandoned, inasmuch as it has not been utilized in over 20 years and there are five 30-plus foot tall pine trees growing throughout that portion of the easement that is a part of our Parcel No. 004-260-010, supporting the contention of abandonment. There are no improvements (structures) on this parcel.

The original purpose of the easement was to access the two landlocked parcels, i.e., our Parcel No. 004-260-010 (**Parcel B as shown on Parcel Map Book 22, Page 17, Mariposa County Records**) and Assessor's Parcel No. 004-260-009 (**Parcel A as shown on Parcel Map Book 22, Page 17, Mariposa County Records**), which is owned by Carl and Dana Lundstrom. *The Lundstrom request for abandonment is accompanying this letter of request.* When Millbrow Lane (a public road) was constructed, the Lundstrom property no longer was landlocked and in fact the access to their parcel is from Millbrow Lane via a driveway they created to their property from Millbrow Lane. Our parcel is no longer landlocked inasmuch as we are intended, once the easement is vacated, to merge that Parcel B into our two parcels (APN's 004-260-007 and 004-250-031) by means of a merger application and then lot line adjustments applications with the Mariposa County Planning Department. The parcel will then no longer exist.

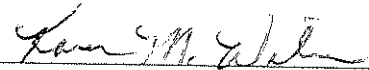
The only adjacent landowner(s) not a party to this joint request by us and the Lundstroms for vacation that would possibly be affected or would have an interest in these vacation requests is Nora Lemings, owner of APN 004-260-016. Her letter of consent is accompanying this letter of request. Also included are: (i) a letter from P.G. & E., the only utility company who had a former interest in this easement; (ii) a legal description of the proposed easement to be vacated, as prepared by Robert Granata, LS 6944; (iii) a plat showing the easement to be vacated, as prepared by Robert Granata, LS 6944, which also denote that portion of the easement which will not be vacated; the original recorded parcel map the original easement, and all portions thereof. Please let Catherine Kimball know the date of the Board of Supervisors' hearing for this matter so she can place the postings along the proposed vacation and take pictures showing the postings located along the proposed vacation, which will be posted two weeks prior to the Board of Supervisors' hearing.

Thank you for your time and consideration in this matter. We appreciate your willingness to assist.

Respectfully submitted,



Catherine L. Kimball
209-878-3702
10240 Holtzel Road
Coulterville, CA 95311



Karen Wilson
209-878-3236
6414 Millbrow Lane
PO Box 64
Coulterville, CA 95311

cc: DANA HERTFELDER, DIRECTOR OF PUBLIC WORKS

2092309

Kevin & Sara Castle
Holtzel Road
Coulterville CA 95311
209-878-3129

18 January 2009

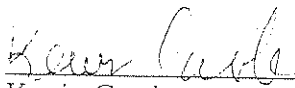
COUNTY OF MARIPOSA
DEPARTMENT OF PUBLIC WORKS
ATTN: JERRY FREEMAN, COUNTY SURVEYOR
4639 BEN HUR ROAD
MARIPOSA CA 95338

RE: VACATION OF A PORTION OF EASEMENT AS DELINEATED ON PARCEL MAP BOOK 22,
PAGE 17, MARIPOSA COUNTY RECORDS


Dear Mr. Freeman:

We are the owners of APN 04-206-12, and will have an interest in a 1/8 acre portion of 04-260-10 (**Parcel B as shown on Parcel Map Book 22, Page 17, Mariposa County Records**) once the subject public easement portion has been abandoned on that property. Therefore, with reference to the request of Catherine Kimball and Karen Wilson for vacation of that portion of the above cited easement on their parcel, (**Parcel B as shown on Parcel Map Book 22, Page 17, Mariposa County Records**), and the request of Carl & Dana Lundstrom for vacation of that portion of the above cited easement of their parcel, (**Parcel A as shown on Parcel Map Book 22, Page 17, Mariposa County Records**), this letter of consent supports the requests for vacation of those portions of the easement that encumber both of their parcels.

Sincerely,



Kevin Castle



Sara Castle

cc: DANA HERTFELDER, DIRECTOR OF PUBLIC WORKS

(7)

14

Nora Lemings
6388 Millbrow Lane
Coulterville CA 95311
209-878-0521

JANUARY 13, 2008

COUNTY OF MARIPOSA
DEPARTMENT OF PUBLIC WORKS
ATTN: JERRY FREEMAN, COUNTY SURVEYOR
4639 BEN HUR ROAD
MARIPOSA CA 95338

RE: VACATION OF A PORTION OF EASEMENT AS DELINEATED ON PARCEL MAP BOOK 22,
PAGE 17, MARIPOSA COUNTY RECORDS

Dear Mr. Freeman:

I own the property known as APN 04-260-16, which as a common corner with the property owned by Catherine Kimball and Karen Wilson, and the property owned by Carl & Dana Lundstrom, which properties are the subject of this letter. With reference to the request of Catherine Kimball and Karen Wilson for vacation of that portion of the above cited easement on their parcel, (**Parcel B as shown on Parcel Map Book 22, Page 17, Mariposa County Records**), and the request of Carl & Dana Lundstrom for vacation of that portion of the above cited easement of their parcel, (**Parcel A as shown on Parcel Map Book 22, Page 17, Mariposa County Records**), this letter of consent supports the requests for vacation of those portions of the easement that encumber both of their parcels. I have never used the easement and have no objection to its abandonment.

Sincerely,


Nora Lemings

cc: DANA HERTFELDER, DIRECTOR OF PUBLIC WORKS

EXHIBIT A

LEGAL DESCRIPTION

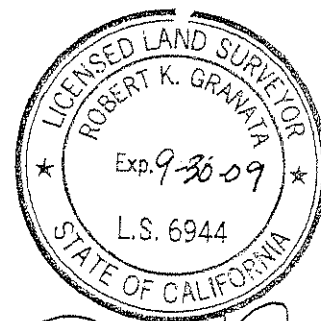
Abandonment of Public Road and Utility Easement in
Parcel B of Parcel Map for Ivan Metzger, recorded in
Book 22 of Parcel Maps at Page 17,
Mariposa County Records,
Mariposa County California

All that portion of the 60 foot wide non-exclusive public road and utility easement and turnaround, dedicated to Mariposa County, lying in Parcel B of the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County California, being more particularly described as follows:

Beginning at the southwest corner of Parcel B as shown on the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County, California; thence $S78^{\circ}54'58''E$ 61.21 feet along the southerly line of said parcel; thence $N00^{\circ}18'20''W$ 312.84 feet parallel with and 60 feet westerly of the west line of said parcel to the beginning of a non-tangent 45 foot radius curve, concave to the northwest, whose center of circle bears $N19^{\circ}46'36''W$, through a central angle of $47^{\circ}26'54''$ and an arc length of 37.27 feet to a point on the northerly line of said parcel; thence $N78^{\circ}45'55''W$ 88.18 feet along said northerly line to the northwest corner of said parcel; thence $S00^{\circ}18'20''E$ 343.18 feet along the westerly line of said parcel to the point of beginning.

Containing 21,077 square feet, more or less.

Prepared by:
Robert K. Granata, L.S. 6944
Granata Land Surveying
9539 Dolorosa Street
La Grange, CA 95329

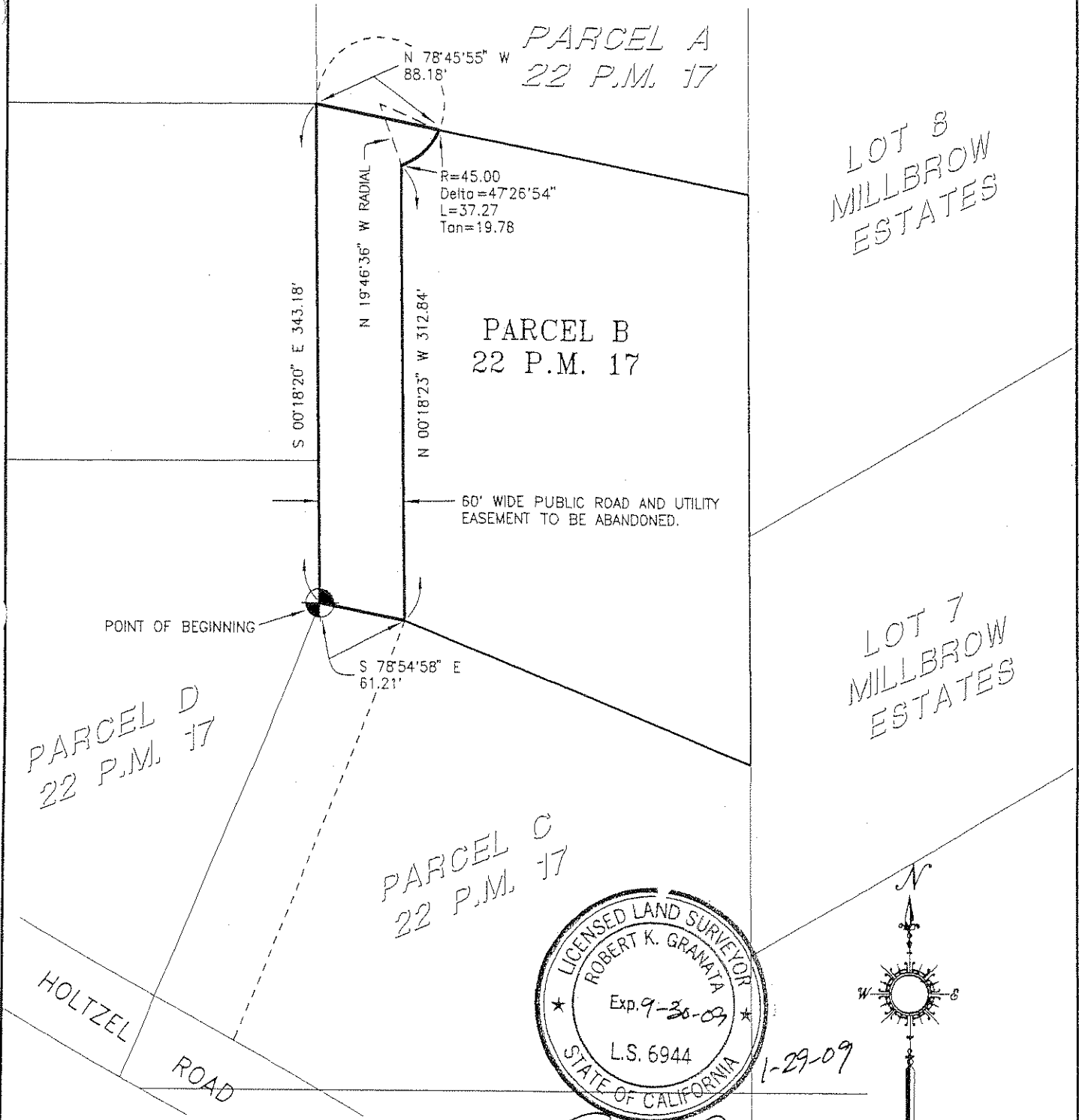


R. K. Granata

EXHIBIT 'B'

2092309

ABANDONMENT OF EASEMENT IN
PARCEL B, "PARCEL MAP FOR IVAN METZGER"
BOOK 22, PARCEL MAPS, PAGE 17, MARIPOSA COUNTY RECORDS



Granata Land Surveying

ROBERT K. GRANATA L.S. 6944 • 9539 DOLOROSA STREET • LA GRANGE, CA 95329
PHONE: (209) 852-9640
EMAIL: drgranata@hughes.net

EXHIBIT A

LEGAL DESESCRIPTION

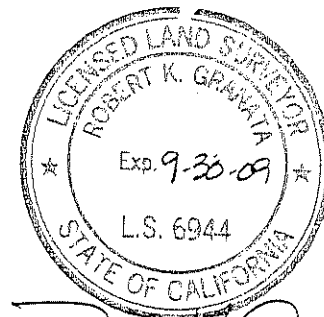
Abandonment of Public Road and Utility Easement in
Parcel A of Parcel Map for Ivan Metzger, recorded in
Book 22 of Parcel Maps at Page 17,
Mariposa County Records,
Mariposa County California

All that portion of the 60 foot wide non-exclusive public road and utility easement and turnaround, dedicated to Mariposa County, lying in Parcel A of the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County California, being more particularly described as follows:

Beginning at the southwest corner of Parcel A as shown on the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County, California; thence $S78^{\circ}45'55''E$ 88.18 feet along the south line of said parcel to the start of a non-tangent 45 foot radius curve, concave to the southwest, whose center of circle bears $N67^{\circ}13'31''W$, through a central angle of $203^{\circ}04'49''$ and an arc length of 159.50 feet to the Point of Beginning of this description.

Containing 3,986 square feet, more or less.

Prepared by:
Robert K. Granata, L.S. 6944
Granata Land Surveying
9539 Dolorosa Street
La Grange, CA 95329



1-29-09

Robert K. Granata

EXHIBIT 'B'

2092309

ABANDONMENT OF EASEMENT IN
PARCEL A, "PARCEL MAP FOR IVAN METZGER"
BOOK 22, PARCEL MAPS, PAGE 17, MARIPOSA COUNTY RECORDS

MILLBROW LANE

LOT 2

PARCEL A
22 P.M. 17

R=45.00
Delta =203°04'49"
L=159.50
Tan=220.39

PUBLIC ROAD AND UTILITY EASEMENT
AREA TO BE ABANDONED

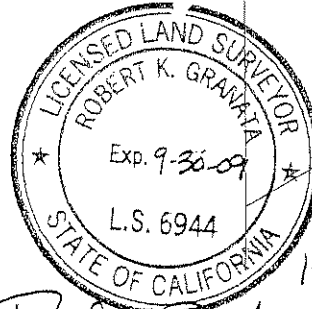
N 67°13'31" W RADIAL

POINT OF BEGINNING

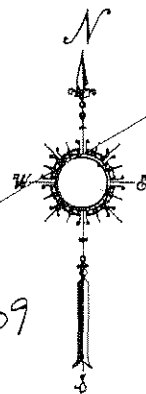
S 78°45'55" E
88.18'

LOT 8
MILLBROW
ESTATES

PARCEL B
22 P.M. 17



1-29-09



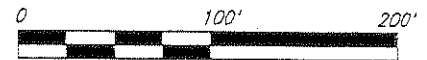
Granata Land Surveying

R.K.G.

ROBERT K. GRANATA L.S. 6944 · 9539 DOLOROSA STREET · LA GRANGE, CA 95329

PHONE: (209) 852-9640

EMAIL: drgranata@hughes.net



SCALE 1" = 100'

2092309

February 9, 2009

Catherine Kimball
10240 Holtzel Road
Coulterville, CA 95311

Re: Vacation of County Road

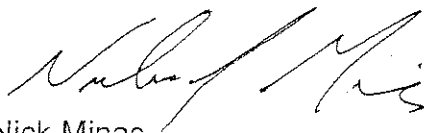
Dear Ms. Kimball:

This is in response to your inquire about the vacation of the county road off of Holtzel Road. More particularly described in Parcel Map for Ivan Metzger Book 22 Page 17 M.C.R.

Pacific Gas and Electric Company (PG&E) has completed its review of the plan provided with the proposed vacation. The plan is APPROVED insofar as this Company is concerned. PG&E has no existing facilities located within the Road.

If you have any questions, please call me at 263-7375.

Sincerely,



Nick Minas
Land Agent

ATTACHMENT #3

13

21

Book 22, Pg 17

PARCEL MAP

FOR IVAN METZGER

BEING A DIVISION OF PARCEL 4 OF PARCEL MAP BOOK 15, PAGE 19, MARIPOSA COUNTY RECORDS, SITUATED IN A PORTION OF THE NW 1/4 OF THE NW 1/4 OF SECTION 29, T.2S., R.17E., M.D.B. & M., CALIFORNIA

JANUARY, 1986
TOTAL SUBDIVIDED AREA 10.21 ACRES
SCALE: 1" = 80'
L.D.A. NO. 1185

SURVEYOR
This map was prepared by me or under my direction and is based upon a field survey in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86. I am a duly licensed Professional Surveyor in the State of California. I am duly sworn and my commission expires on 1-1-87. My office is located at 1000 North Main Street, San Jose, California 95128.

Richard D. B. H.
Richard D. Henson, L.S. 11857



COUNTY SURVEYOR
This map conforms with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

Alta J. Bland
County Surveyor

COUNTY RECORDER
I, *Joseph J. Murphy*, County Recorder of Mariposa County, California, do hereby certify that this map is a true and correct copy of the original map as filed in my office on 1-1-86.

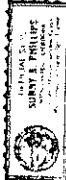
Joseph J. Murphy
County Recorder, Mariposa County, California

OWNER
I, *Ivan Metzger*, being the party having a record title interest in the parcel here shown, do hereby certify that the above described parcel is my own and that I have no other interest therein. I have no other interest in the parcel here shown, and I have no other interest in the parcel here shown, and I have no other interest in the parcel here shown. I have no other interest in the parcel here shown, and I have no other interest in the parcel here shown.

Ivan Metzger
Date: 1-1-86

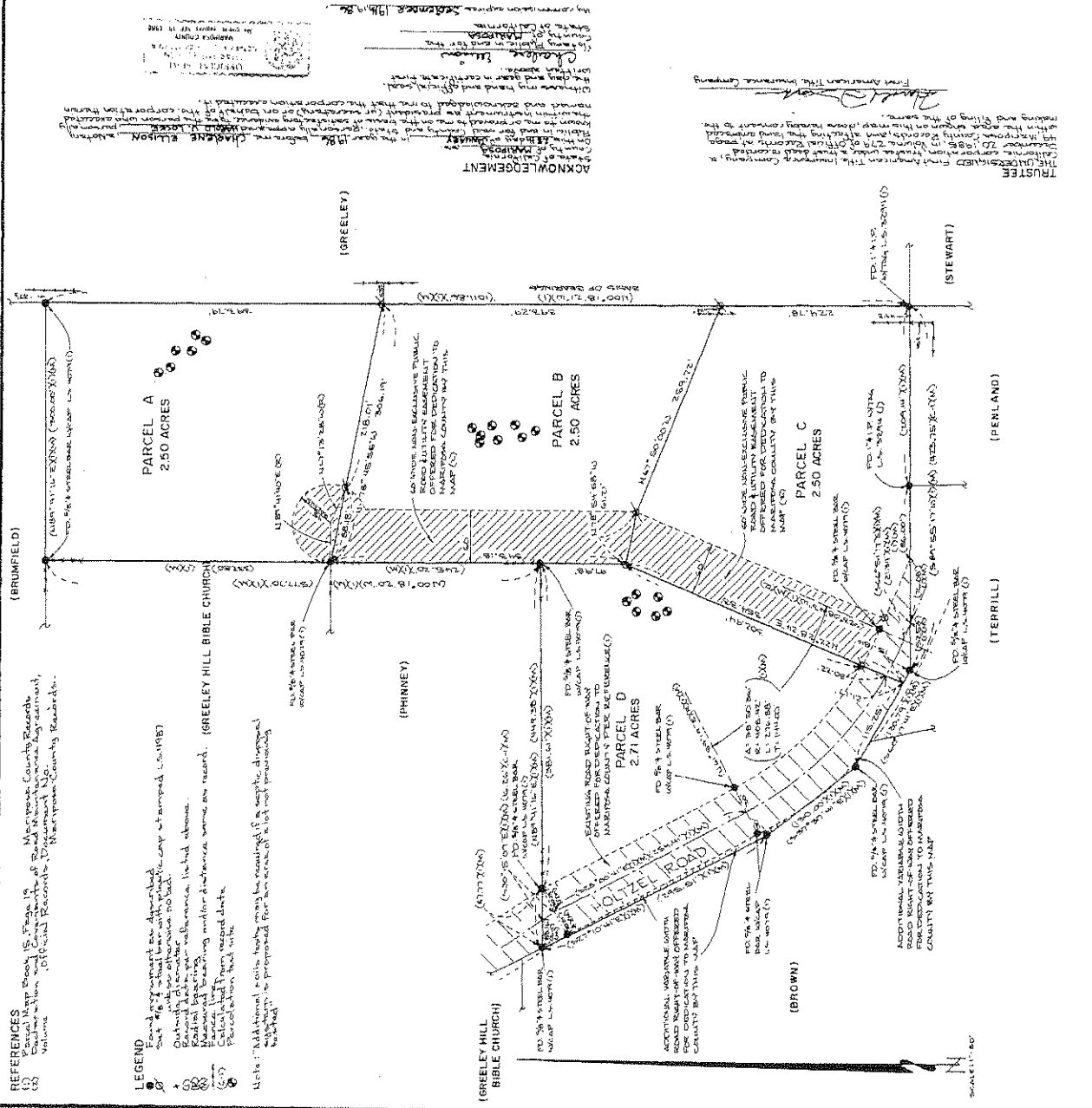
ACKNOWLEDGEMENT
I, *Ivan Metzger*, do hereby acknowledge that I have read the above described map and that I have no other interest in the parcel here shown, and I have no other interest in the parcel here shown. I have no other interest in the parcel here shown, and I have no other interest in the parcel here shown.

Ivan Metzger
Date: 1-1-86



BASIS OF BEARINGS
The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

Book 22, Pg 17



REFERENCES
(1) Parcel Map Book 15, Page 19, Mariposa County Records.
(2) Parcel Map Book 15, Page 19, Mariposa County Records.
(3) Parcel Map Book 15, Page 19, Mariposa County Records.

LEGEND
Foundry stamp as described in the above reference. In the above reference, the above reference is the above reference. In the above reference, the above reference is the above reference.

NOTES
1. All bearings were taken with a transit and level. The bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

2. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

3. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

4. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

5. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

6. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

7. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

8. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

9. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

10. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

11. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

12. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

13. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

14. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

15. The bearings of this map were taken with the use of a transit and level, and the bearings were taken in accordance with the requirements of the Subdivision Map Act and local Ordinance No. 1-1-86.

MARIPOSA COUNTY RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE VACATION OF A PORTION OF A NON-EXCLUSIVE PUBLIC ROAD AND UTILITY EASEMENT LOCATED NORTHERLY OF HOLTZEL ROAD

WHEREAS, the Board of Supervisors gave notice of a Public Hearing and said Public Hearing was held on June 2, 2009.

NOW THEREFORE, BE IT RESOLVED by the Mariposa County Board of Supervisors, a political subdivision of the State of California, that the Board hereby determines and orders as follows:

1. The County of Mariposa, by and through its Board of Supervisors, summarily vacates the easement described in this resolution pursuant to Street & Highways Code , Division 9, chapter 3, § 8320 to 8325.
2. The easement hereby vacated is more particularly described in Exhibit "A" attached hereto, and by reference, made a part hereof.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors, this 2nd day of June, 2009, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

BRAD ABORN, Chair
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM

STEVEN W. DAHLEM, County Counsel

EXHIBIT A

LEGAL DESECRPTION

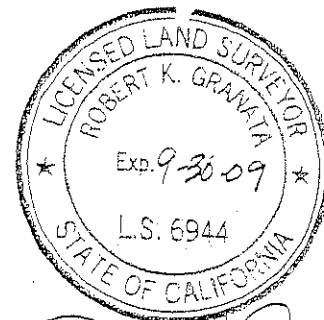
Abandonment of Public Road and Utility Easement in
Parcel B of Parcel Map for Ivan Metzger, recorded in
Book 22 of Parcel Maps at Page 17,
Mariposa County Records,
Mariposa County California

All that portion of the 60 foot wide non-exclusive public road and utility easement and turnaround, dedicated to Mariposa County, lying in Parcel B of the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County California, being more particularly described as follows:

Beginning at the southwest corner of Parcel B as shown on the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County, California; thence S78°54'58"E 61.21 feet along the southerly line of said parcel; thence N00°18'20"W 312.84 feet parallel with and 60 feet westerly of the west line of said parcel to the beginning of a non-tangent 45 foot radius curve, concave to the northwest, whose center of circle bears N19°46'36"W, through a central angle of 47°26'54" and an arc length of 37.27 feet to a point on the northerly line of said parcel; thence N78°45'55"W 88.18 feet along said northerly line to the northwest corner of said parcel; thence S00°18'20"E 343.18 feet along the westerly line of said parcel to the point of beginning.

Containing 21,077 square feet, more or less.

Prepared by:
Robert K. Granata, L.S. 6944
Granata Land Surveying
9539 Dolorosa Street
La Grange, CA 95329



R. K. Granata

EXHIBIT 'B'

2092309

ABANDONMENT OF EASEMENT IN
PARCEL B, "PARCEL MAP FOR IVAN METZGER"
BOOK 22, PARCEL MAPS, PAGE 17, MARIPOSA COUNTY RECORDS

PARCEL A
22 P.M. 17

LOT 8
MILLBROW
ESTATES

PARCEL B
22 P.M. 17

LOT 7
MILLBROW
ESTATES

PARCEL C
22 P.M. 17

PARCEL D
22 P.M. 17

N 78°45'55" W
88.18'

R=45.00
Delta=47°26'54"
L=37.27
Tan=19.78

S 00°18'20" E 343.18'

N 19°46'36" W RADIAL

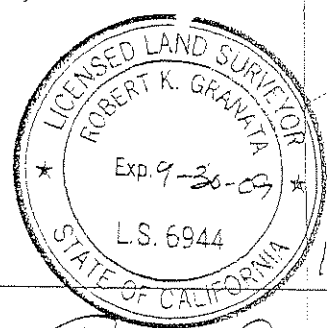
N 00°18'23" W 312.84'

60' WIDE PUBLIC ROAD AND UTILITY
EASEMENT TO BE ABANDONED.

POINT OF BEGINNING

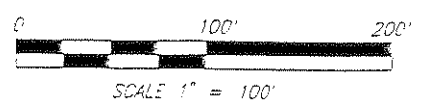
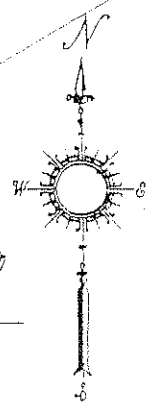
S 78°54'58" E
61.21'

HOLTZEL
ROAD



1-29-09

R. K. Granata



SCALE 1" = 100'

Granata Land Surveying

ROBERT K. GRANATA, L.S. 6944 · 9539 DOLOROSA STREET · LA GRANGE, CA. 95329
PHONE: (209) 852-9640
EMAIL: drgranata@hughes.net

EXHIBIT A

LEGAL DESCRIPTION

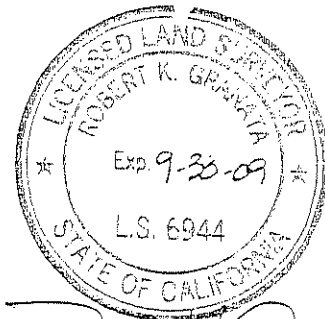
Abandonment of Public Road and Utility Easement in
Parcel A of Parcel Map for Ivan Metzger, recorded in
Book 22 of Parcel Maps at Page 17,
Mariposa County Records,
Mariposa County California

All that portion of the 60 foot wide non-exclusive public road and utility easement and turnaround, dedicated to Mariposa County, lying in Parcel A of the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County California, being more particularly described as follows:

Beginning at the southwest corner of Parcel A as shown on the "Parcel Map for Ivan Metzger", recorded in Book 22 of Parcel Maps at Page 17, Mariposa County Records, Mariposa County, California; thence $S78^{\circ}45'55''E$ 88.18 feet along the south line of said parcel to the start of a non-tangent 45 foot radius curve, concave to the southwest, whose center of circle bears $N67^{\circ}13'31''W$, through a central angle of $203^{\circ}04'49''$ and an arc length of 159.50 feet to the Point of Beginning of this description.

Containing 3,986 square feet, more or less.

Prepared by:
Robert K. Granata, L.S. 6944
Granata Land Surveying
9539 Dolorosa Street
La Grange, CA 95329



1-29-09

Robert K. Granata

EXHIBIT 'B'

2092309

ABANDONMENT OF EASEMENT IN
PARCEL A, "PARCEL MAP FOR IVAN METZGER"
BOOK 22, PARCEL MAPS, PAGE 17, MARIPOSA COUNTY RECORDS

MILLBROW LANE

LOT 2

PARCEL A
22 P.M. 17

R=45.00
Delta = 203°04'49"
L=159.50
Tan=220.39

PUBLIC ROAD AND UTILITY EASEMENT
AREA TO BE ABANDONED

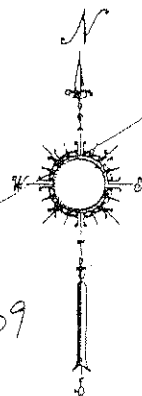
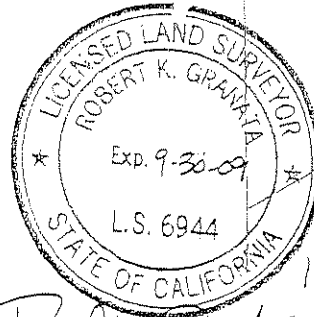
N 67°13'31" W RADIAL

POINT OF BEGINNING

S 78°45'55" E
88.18'

LOT 3
MILLBROW
ESTATES

PARCEL B
22 P.M. 17

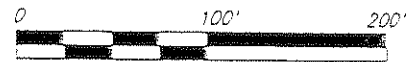


Granata Land Surveying

ROBERT K. GRANATA, L.S. 6944 · 9539 DOLOROSA STREET · LA GRANGE, CA 95329

PHONE: (209) 852-9640

EMAIL: drgranata@hughes.net



SCALE 1" = 100'

Notice of Public Hearing

In accordance with Chapter 3, Section 8322 of the California Street and Highway Code a public hearing will be held at 9:30 a.m. on June 2, 2009, in the Mariposa County Board of Supervisors' room located 5100 Bullion Street, Mariposa, California to discuss the vacation of an easement northerly of Holtzel Road located in a portion of Section 29, T.25, R.17E, M.D. B&M. Copies of the site plan showing the proposed section of Holtzel Road to be vacated may be obtained from the Mariposa County Department of Public Works at 4639 Ben Hur Road, Mariposa, California, 95338.