

# Town of Yountville

## Resolution Number 24-4249

### A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE VACATING PUBLIC SERVICE EASEMENTS AT 6721 and 6731 MESA COURT

---

#### Recitals

- A. The California Streets and Highways Code, Section 8330 et seq., authorizes the Town Council of the Town of Yountville to summarily vacate a public service easement.
- B. California Streets and Highways Code, Section 8333(c), authorizes the summary vacation of a public service easement if: (1) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; (2) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date; or (3) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.
- C. The public service easements to be vacated are located on Mesa Court adjacent to the homes located at 6721 and 6731 Mesa Court, more particularly described in Exhibit "A" and shown on Exhibit "B", both attached hereto and made a part hereof by reference.
- D. The public service easement described in Exhibit "A" and shown on Exhibit "B" has not been used for the purpose for which it was dedicated as part of the subdivision because the parking facilities were never constructed. The dedicated dates back to 1981 which well exceeds the requirement for non-use for five consecutive years immediately preceding this proposed vacation.
- E. The public service easement described in Exhibit "A" and shown on Exhibit "B" has been determined to be an excess public service easement as the parking facility for which was intended was never constructed nor has it been proven to be needed. T
- F. There are no other public facilities located within the easement in use that would be affected by the proposed vacation.
- G. After consideration of all evidence submitted, the Town Council finds and determines that the public service easements described in said Exhibit "A" and shown on Exhibit "B" have been determined to not have been used for five consecutive years, and/or the Town has determined the easement is excess.

#### **Now therefore, the Town Council of the Town of Yountville does resolve as follows:**

- 1. The Recitals above are true and correct and incorporated herein by reference.
- 2. This Resolution is hereby adopted and becomes effective in full force immediately upon adoption.
- 3. The public service easement described in said Exhibit "A" and shown on Exhibit "B" shall be and hereby is summarily vacated.
- 4. From and after the date this Resolution, the public service easement described in said Exhibit "A" and shown on Exhibit "B" shall no longer constitute a public service easement.

5. The Town Clerk shall cause a certified copy of this resolution to be recorded in the Office of the County Recorder in accordance with the provisions of Section 8336 of the Streets and Highways Code. Upon such recordation, the vacation is complete.
6. This Resolution is exempt from review under the California Environmental Quality Act (Public Resources Code section 21000, et. seq.) (CEQA). Pursuant to section 15061(b)(3) of the CEQA Guidelines (California Code of Regulations, Title 14, section 15000, et. seq.), CEQA applies only to projects which have the potential for causing a significant effect on the environment. This Resolution will not result in any foreseeable environmental impact.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 5th day of March 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Margie Mohler, Mayor

ATTEST:

---

Hilary Gaede, Acting Town Clerk