

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
ORDERING THE VACATION OF PUBLIC EASEMENTS AT 400 LOGUE AVENUE

WHEREAS, on May 25, 2021, by its adoption of Resolution No. 18562, Series 2021, the City Council of the City of Mountain View, pursuant to the provisions of Part 3, Division 9 (Sections 8300 through 8363) of the Streets and Highways Code of the State of California (the Public Streets, Highways, and Service Easement Vacation Law), declared its intention to vacate the public easements over the property at 400 Logue Avenue; and

WHEREAS, by the said Resolution No. 18562, which Resolution is incorporated by reference as if fully set forth herein, the City Council set June 22, 2021 at 6:30 p.m. as the date and time for hearing all persons interested in or objecting to the proposed vacation and directed the City Clerk to give notice of said hearing in the manner prescribed by law; and

WHEREAS, on June 22, 2021, the said public hearing was held, and evidence was submitted to the City Council, bearing upon the present and prospective use of the public easements for wire clearance and utility; and

WHEREAS, this vacation is necessary for the development at 400 Logue Avenue, Application No. PL-2019-406 ("PROJECT"), for a Planned Community Permit and Development Review Permit for a new eight-story, 408-unit residential development, a 36,000 square foot transfer of development rights, and a Heritage Tree Removal Permit to remove five Heritage trees;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View that, from all the evidence submitted, public easements described and depicted in Exhibit A, attached hereto and incorporated herein by reference, are unnecessary for present and prospective public uses and that, therefore, this body orders that the said public easements described herein be, and the same are hereby, vacated, subject to the conditions specified in this Resolution.

BE IT FURTHER RESOLVED that the City Council of the City of Mountain View, in accordance with Streets and Highways Code Section 8324(b), finds that this Resolution shall not be recorded until the following conditions have been satisfied:

1. File with the City of Mountain View approved improvement plans, agreements, and performance bonds as a condition of approval for the PROJECT.
2. This Resolution shall be recorded concurrently with the Improvement Agreement in accordance with approved City recording instructions.

BE IT FURTHER RESOLVED that as findings of fact supporting its decision vacating the said public easements on 400 Logue Avenue, this body finds as follows, and in addition, incorporates by reference, as if fully set forth herein, the Council report dated June 22, 2021:

1. The existing overhead electric and related utilities within the easements are proposed to either be removed or placed underground as part of this project. New public service easements would be dedicated via separate instrument as necessary.
2. The existing easements are unnecessary for present or prospective public use.

MN/6/RESO
813-06-22-21r

Exhibit: A. Plat and Legal Description of Public Easements

APRIL 23, 2021
JOB NO. 2745-000

**EXHIBIT A
LEGAL DESCRIPTION
QUITCLAIM
PUBLIC UTILITY EASEMENT**

REAL PROPERTY SITUATE IN THE CITY OF MOUNTAIN VIEW, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL THAT CERTAIN PUBLIC UTILITY EASEMENT (P.U.E) AS OFFERED AND ACCEPTED ON TRACT 2917 RECORDED SEPTEMBER 26, 1961, IN BOOK 138 OF MAPS, AT PAGE 24, IN THE OFFICE OF COUNTY RECORDER OF SANTA CLARA COUNTY WITHIN PARCEL A AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED MAY 16, 1977, IN BOOK 396 OF MAPS, AT PAGE 39, IN THE OFFICE OF SAID COUNTY RECORDER; MORE PARTICULAR DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF SAID PARCEL A;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHERN LINE OF SAID PARCEL A, SOUTH 73°43'00" EAST, 10.00 FEET;

THENCE, LEAVING SAID NORTHERN LINE AND ENTERING SAID PARCEL A, SOUTH 16°17'00" WEST, 358.00 FEET TO A POINT ON THE SOUTHERN LINE OF SAID PARCEL A;

THENCE, ALONG SAID SOUTHERN LINE, NORTH 73°43'00" WEST, 10.00 FEET TO THE WESTERN LINE OF SAID PARCEL A;

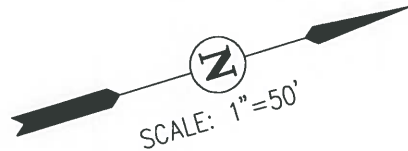
THENCE, ALONG SAID WESTERN LINE, SOUTH 16°17'00" WEST, 358.00 FEET TO THE POINT OF BEGINNING.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART THEREOF.

END DESCRIPTION



MARK H. WEHBER, P.L.S.
L.S. NO. 7960



QUITCLAIM
10' PUE PER
BOOK 138 PAGE 24

SANTA CLARA COUNTY TRANSIT DISTRICT

N16°17'00"E 358.00'

POB

S16°17'00"W 358.00'

EX 5' WCE
(BOOK 138 PAGE 24)

GOOGLE INC.
APN 160-58-001

BIGLER
TRUST
APN 160-58-003

LINE TABLE		
NO	BEARING	LENGTH
L1	S73°43'00"E	10.00'
L2	N73°43'00"W	10.00'

TRACT 2917
(138 M 24)
PARCEL MAP
(396 M 39)

LEGEND

POB POINT OF BEGINNING
PUE PUBLIC UTILITY EASEMENT
WCE WIRE CLEARANCE EASEMENT



EXHIBIT A

SHEET 2 OF 4

PLAT TO ACCOMPANY LEGAL DESCRIPTION

QUITCLAIM
PUBLIC UTILITY EASEMENT (138 M 24 & 396 M 39)
CITY OF MOUNTAIN VIEW, SANTA CLARA COUNTY, CALIFORNIA

APRIL 2021



SAN RAMON (925) 866-0322
ROSEVILLE (916) 788-4456
WWW.CBANDG.COM

CIVIL ENGINEERS • SURVEYORS • PLANNERS

APRIL 23, 2021
JOB NO. 2745-000

**EXHIBIT A
LEGAL DESCRIPTION
QUITCLAIM
WIRE CLEARANCE EASEMENT**

REAL PROPERTY SITUATE IN THE CITY OF MOUNTAIN VIEW, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL THAT CERTAIN WIRE CLEARANCE EASEMENT (W.C.E) AS OFFERED AND ACCEPTED ON TRACT 2917 RECORDED SEPTEMBER 26, 1961, IN BOOK 138 OF MAPS, AT PAGE 24, IN THE OFFICE OF COUNTY RECORDER OF SANTA CLARA COUNTY WITHIN PARCEL A AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED MAY 16, 1977, IN BOOK 396 OF MAPS, AT PAGE 39, IN THE OFFICE OF SAID COUNTY RECORDER; MORE PARTICULAR DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY CORNER OF SAID PARCEL A;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERN LINE OF SAID PARCEL A, SOUTH 73°43'00" EAST, 10.00 FEET TO THE **POINT OF BEGINNING**;

THENCE, FROM SAID POINT OF BEGINNING, ALONG SAID NORTHERN LINE OF SAID PARCEL A, SOUTH 73°43'00" EAST, 5.00 FEET;

THENCE, LEAVING SAID NORTHERN LINE AND ENTERING SAID PARCEL A, SOUTH 16°17'00" WEST, 358.00 FEET TO A POINT ON THE SOUTHERN LINE OF SAID PARCEL A;

THENCE, ALONG SAID SOUTHERN LINE, NORTH 73°43'00" WEST, 5.00 FEET;

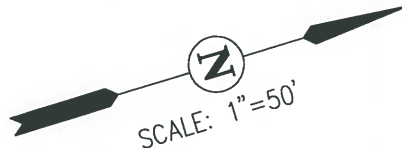
THENCE, LEAVING SAID SOUTHERN LINE AND ENTERING SAID PARCEL A, NORTH 16°17'00" EAST, 358.00 FEET TO THE **POINT OF BEGINNING**.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART THEREOF.

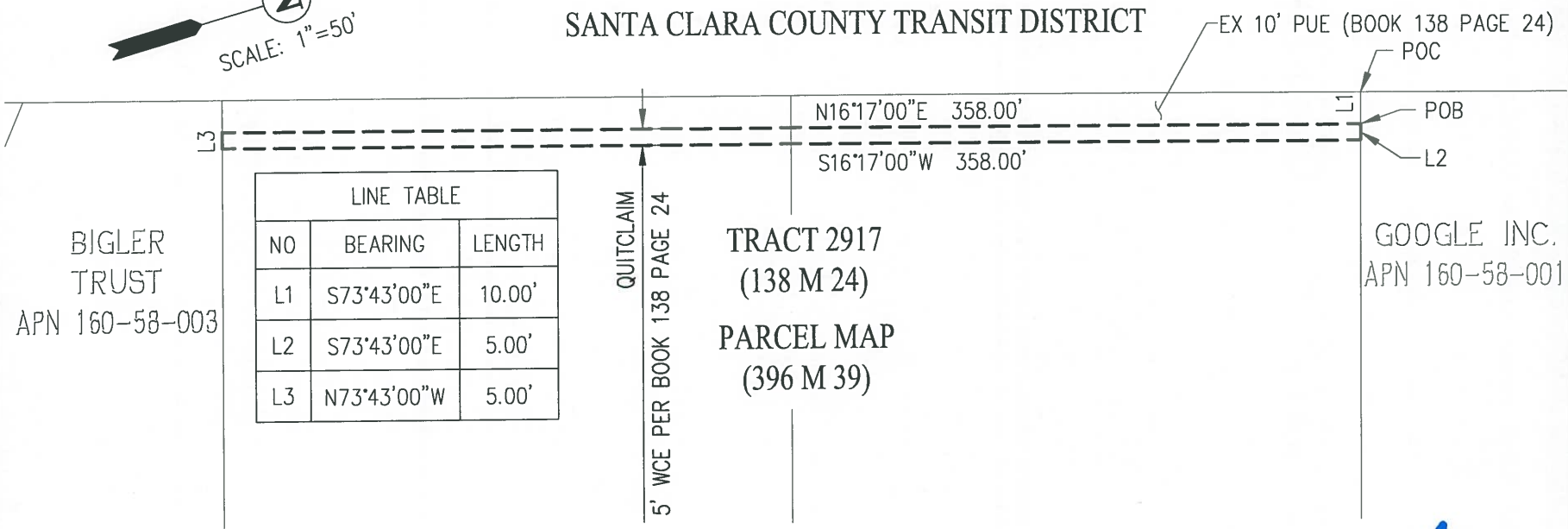
END DESCRIPTION



MARK H. WEHBER, P.L.S.
L.S. NO. 7960



SANTA CLARA COUNTY TRANSIT DISTRICT



LINE TABLE		
NO	BEARING	LENGTH
L1	S73°43'00"E	10.00'
L2	S73°43'00"E	5.00'
L3	N73°43'00"W	5.00'

BIGLER TRUST
APN 160-58-003

TRACT 2917
(138 M 24)
PARCEL MAP
(396 M 39)

GOOGLE INC.
APN 160-58-001

LEGEND

- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- PUE PUBLIC UTILITY EASEMENT
- WCE WIRE CLEARANCE EASEMENT



EXHIBIT A

SHEET 4 OF 4

PLAT TO ACCOMPANY LEGAL DESCRIPTION

QUITCLAIM
WIRE CLEARANCE EASEMENT (138 MAP 24 & 396 M 39)
CITY OF MOUNTAIN VIEW, SANTA CLARA COUNTY, CALIFORNIA
APRIL 2021



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