



**DATE:** December 2, 2014

**CATEGORY:** Consent

**DEPT.:** Public Works

**TITLE:** **Resolution to Summarily Vacate Public Street and Utility Easement and Street Lighting Facilities Easement at 100 and 190 Moffett Boulevard**

### **RECOMMENDATION**

Adopt a Resolution Ordering the Summary Vacation of a Public Street and Utility Easement and a Street Lighting Facilities Easement at 100 and 190 Moffett Boulevard (APN 153-26-037 and 153-26-036), to be read in title only, further reading waived (Attachment 1 to the Council report).

### **BACKGROUND**

As part of a building permit application in 1961, 5' was dedicated along the Jackson Street frontage and 2' was dedicated along the Moffett Boulevard frontage of 190 Moffett Boulevard to the City of Mountain View as a Public Street, Utility Easement, and Incidental Purposes (Book 5161, Page 702). At the time, the existing right-of-way for Jackson Street was 50' wide (25' half street), while the plan line for Jackson Street was 60' wide (30' half street), thus, the 5' dedication requirement. The current plan line for Jackson Street is 50' wide.

In 1972, as part of a building permit application and street improvements at 100 Moffett Boulevard for the former Santa Clara County Social Services Building, new streetlights were installed along Moffett Boulevard and Stierlin Road. Due to site constraints, the streetlight conduit was installed across the southerly portion of the parcel and a Street Lighting Facilities Easement (per Book 9732, Page 301) was dedicated to the City to accommodate the facilities.

### **ANALYSIS**

Prometheus, the current owner of the properties, has requested the City vacate the two easements that encumber their property. Both easements were shown to be vacated as part of the 100 Moffett Boulevard project for 184 apartments approved by Council on December 10, 2013, as the proposed below-grade parking garage encroaches into the

Street Lighting Facilities Easement. The current plan line for Jackson Street does not require the 5' portion of the easement along Jackson Street. The 2' portion of the existing easement will be dedicated in fee to the City as part of the widening of Moffett Boulevard. The streetlight conduit has been removed, and the future streetlight conduit is designed to be installed in the public right-of-way.

Staff has reviewed the vacation request and has confirmed that no public facilities exist in these easements and PG&E, AT&T, and Comcast have confirmed that they have no services in the easements.

The street and utility easement have been identified as excess right-of-way and not required for street purposes. The streetlight facilities easement has been superseded by relocations and no other public facilities are located within the easement.

Therefore, staff recommends the easements shown to be vacated in the attachments be summarily vacated consistent with Section 8333 of the Streets and Highways Code.

**FISCAL IMPACT** – None.

**ALTERNATIVES**

1. Determine that the City should retain the easements and do not approve the vacation.
2. Provide other direction to staff.

**PUBLIC NOTICING** – Agenda posting.

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RG-EA/7/CAM/926-12-02-14CR-E

Attachment: 1. Resolution