

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW  
ORDERING THE VACATION OF PUBLIC EASEMENTS AT 870 EAST EL CAMINO REAL

WHEREAS, on August 30, 2022, by its adoption of Resolution No. 18702, Series 2022, 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 (the Public Streets, Highways and Service Easement Vacation Law), declared its intention to vacate the public easements over the properties at 870 East El Camino Real; and

WHEREAS, by the said Resolution No. 18702, which Resolution is incorporated by reference as if fully set forth herein, the City Council set Tuesday, September 27, 2022, 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 September 27, 2022, 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 utilities; and

WHEREAS, this vacation is necessary for the development, Application PL-2019-087, for a Planned Community Permit and Development Review Permit for State Density Bonus with a concession and Development Waivers to construct two 6-story buildings with 233 new apartment units with two levels of underground parking, and site and facade improvements, for a total of 371 units on-site, and a Provisional Use Permit to allow rooftop amenities above the third floor, and a Heritage Tree Removal Permit to remove 15 Heritage trees and transplant one Heritage tree on a 9.14-acre site;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View that, from all the evidence submitted, the public easements described in Exhibit A and depicted in Exhibit B, 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 condition has 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.

This Resolution shall be recorded concurrently with the Improvement Agreement in accordance with approved City recording instructions.

BE IT FURTHER RESOLVED that as finding of fact supporting its decision vacating the said public easements on 870 East El Camino Real, this body follows, and in addition, incorporates by reference, as if fully set forth herein, the Council report dated September 27, 2022:

1. The existing overhead electric and related utilities within the easement are proposed to either be removed or placed underground as part of this project.

2. The existing easements are unnecessary for present or prospective public use.

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WF/1/PWK  
923-09-27-22r

Exhibits: A. Legal Description of Public Wire Clearance Easement  
B. Plat of Public Wire Clearance Easement



**EXHIBIT "A"**  
Legal Description

**WIRE CLEARANCE EASEMENT VACATION**  
870 E. El Camino Real, Mountain View, CA

Real property in the City of Mountain View, County of Santa Clara, State of California, described as follows:

Being a portion of Parcel "B", as said Parcel is shown on that certain Record of Survey, filed for record on May 29, 1964 in Book 179 of Maps at Page 25, Records of Santa Clara County, described as follows:

Being a portion of that "Wire Clearance Easement", as said Easement is described in that certain Easement Deed, conveyed to the City of Mountain View, a municipal corporation, recorded August 13, 1964 in Book 6621 at Page 516, Official Records of Santa Clara County, and further described as follows:

Commencing at the southwesterly corner of said Parcel B, on the northerly right of way line of El Camino Real (State Route 82), as said parcel and right of way are shown on said Record of Survey (179 Maps 25);

Thence leaving said corner and along said northerly line of El Camino Real, South 64°07'01" East, 161.81 feet to the intersection with the westerly line of said Easement (6621 O.R. 516), being the **POINT OF BEGINNING** of this legal description;

Thence leaving said point and along the said westerly Easement line, North 14°52'00" East, 296.24 feet to the intersection with the northwesterly prolongation of the northeasterly line of Parcel 2, as said Parcel is shown on that certain Record of Survey, filed for record on July 1, 1965 in Book 196 of Maps at Page 45, Records of Santa Clara County;

Thence along said northwesterly prolongation line, South 64°07'01" East, 5.09 feet to the easterly line of said Easement;

Thence along said easterly line, South 14°52'00" West, 296.24 feet to the said northerly line of El Camino Real;

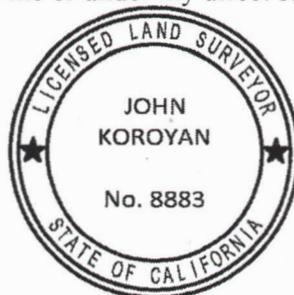
Thence along said northerly line, North 64°07'01" West, 5.09 feet to the **POINT OF BEGINNING** of this legal description;

Containing an area of 1,481 square feet, more or less.

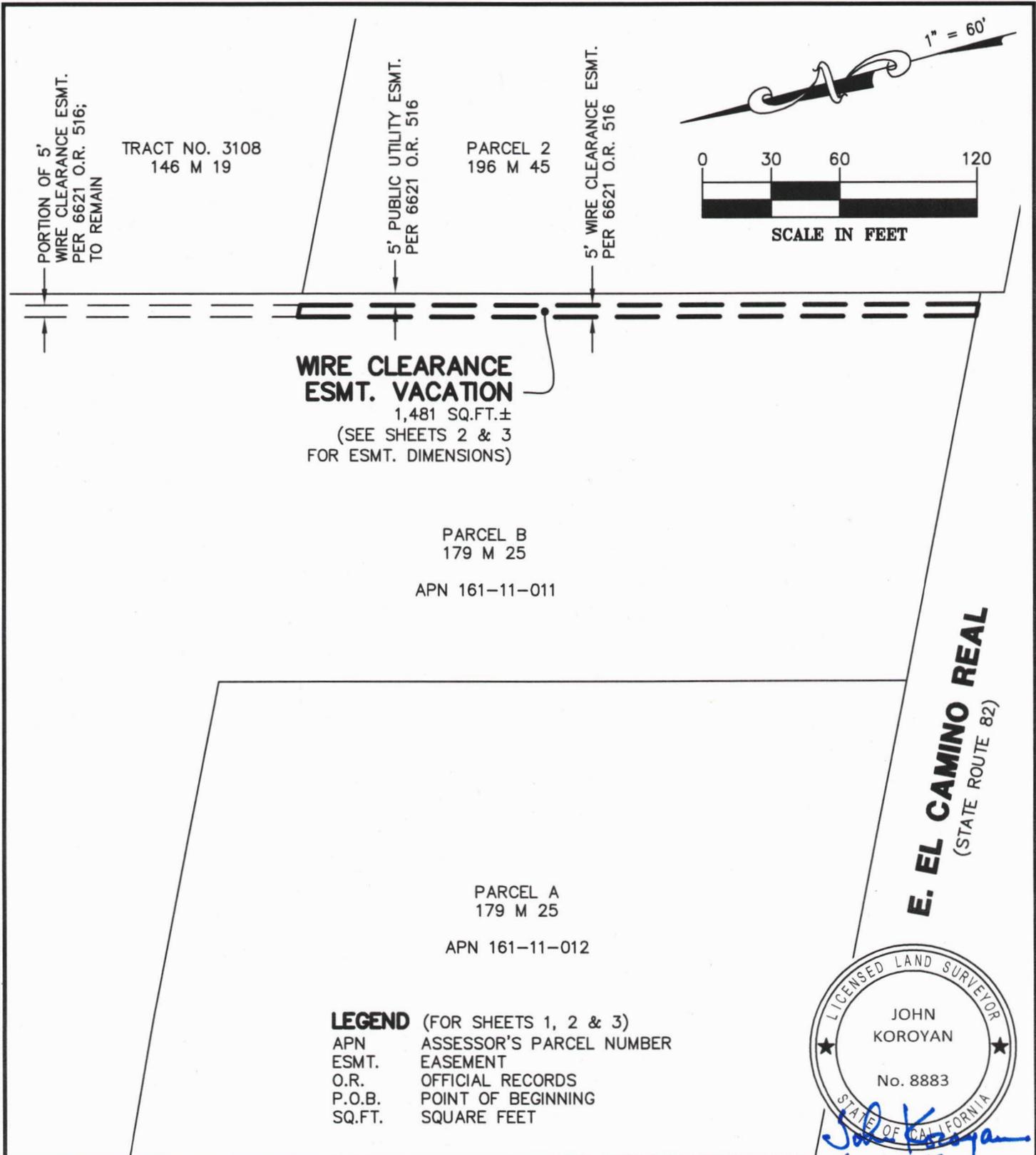
**The above described "Wire Clearance Easement" being vacated is shown on Plat attached hereto as EXHIBIT "B".**

This legal description was prepared by me or under my direct supervision.

By: John Koroyan  
John Koroyan  
P.L.S. No. 8883



Date: JULY 1, 2022



**WIRE CLEARANCE ESMT. VACATION**  
 1,481 SQ.FT.±  
 (SEE SHEETS 2 & 3 FOR ESMT. DIMENSIONS)

PARCEL B  
 179 M 25  
 APN 161-11-011

PARCEL A  
 179 M 25  
 APN 161-11-012

**LEGEND** (FOR SHEETS 1, 2 & 3)  
 APN ASSESSOR'S PARCEL NUMBER  
 ESMT. EASEMENT  
 O.R. OFFICIAL RECORDS  
 P.O.B. POINT OF BEGINNING  
 SQ.FT. SQUARE FEET

**E. EL CAMINO REAL**  
 (STATE ROUTE 82)

LICENSED LAND SURVEYOR  
 JOHN KOROYAN  
 No. 8883  
 STATE OF CALIFORNIA  
*John Koroyan*  
 July 1, 2022

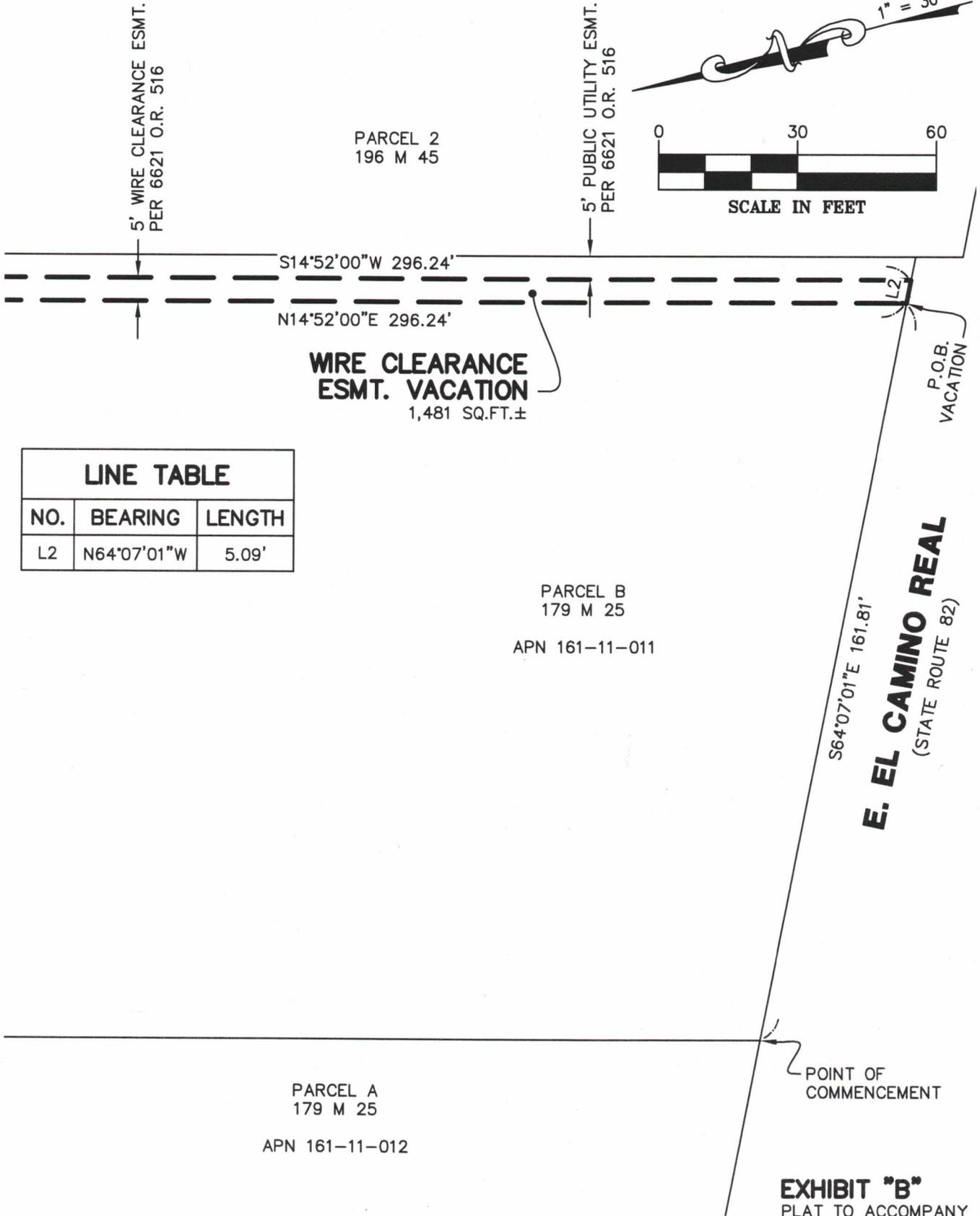
**EXHIBIT "B"**  
 PLAT TO ACCOMPANY  
 LEGAL DESCRIPTION

\\BKF-SJ\VOL4\SUR11\116048\DWG\PLATS\WCE\_VACATION\SHEET\_1.DWG

**BKF**  
 1730 N. FIRST STREET  
 SUITE 600  
 SAN JOSE, CA 95112  
 (408) 467-9100  
 www.bkf.com

SUBJECT **WIRE CLEARANCE EASEMENT VACATION**  
**870 E. EL CAMINO REAL, MOUNTAIN VIEW, CA**  
 JOB NO. 20116048  
 BY CASC APPR. JVK DATE 07-01-2022  
 1 OF 3

SEE SHEET 3



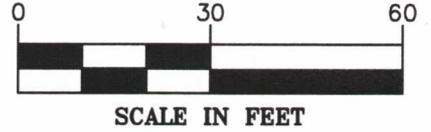
**WIRE CLEARANCE  
ESMT. VACATION**  
1,481 SQ.FT.±

LINE TABLE		
NO.	BEARING	LENGTH
L2	N64°07'01"W	5.09'

PARCEL A  
179 M 25  
APN 161-11-012

PARCEL B  
179 M 25  
APN 161-11-011

PARCEL 2  
196 M 45



**E. EL CAMINO REAL**  
(STATE ROUTE 82)

**EXHIBIT "B"**  
PLAT TO ACCOMPANY  
LEGAL DESCRIPTION

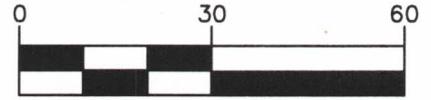
\\BKF-SJ\VOL4\SUR11\116048\DWG\PLATS\WCE\_VACATION\SHEET\_2-3.DWG

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JOB NO. 20116048  
BY CASC APPR. JVK DATE 07-01-2022  
2 OF 3

TRACT NO. 3108  
146 M 19

PARCEL 2  
196 M 45



SCALE IN FEET

PORTION OF 5'  
WIRE CLEARANCE ESMT.  
PER 6621 O.R. 516;  
TO REMAIN

5' PUBLIC UTILITY ESMT.  
PER 6621 O.R. 516  
TO REMAIN

S14°52'00"W 296.24'

N14°52'00"E 296.24'

**WIRE CLEARANCE  
ESMT. VACATION**  
1,481 SQ.FT.±

5' WIRE CLEARANCE ESMT.  
PER 6621 O.R. 516

LINE TABLE		
NO.	BEARING	LENGTH
L1	S64°07'01"E	5.09'

PARCEL B  
179 M 25

APN 161-11-011

PARCEL A  
179 M 25

APN 161-11-012

**EXHIBIT "B"**  
PLAT TO ACCOMPANY  
LEGAL DESCRIPTION

\\BKF-SJ\VOL4\SUR11\116048\DWG\PLATS\WCE\_VACATION\SHEET\_2-3.DWG



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JOB NO. **20116048**  
BY CASC APPR. JVK DATE 07-01-2022  
3 OF 3

SEE SHEET 2