

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2020

A RESOLUTION ORDERING THE VACATION OF  
PUBLIC EASEMENTS ON 355-365, 401, AND 415 EAST MIDDLEFIELD ROAD

WHEREAS, on April 14, 2020, by its adoption of Resolution No. 18436, Series 2020, 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 355, 365, 401, and 415 East Middlefield Road; and

WHEREAS, by the said Resolution No. 18436, which Resolution is incorporated by reference as if fully set forth herein, the City Council set May 5, 2020 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 May 5, 2020, 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-2018-206, for a Planned Community Permit and Development Review Permit for a residential bonus FAR to construct two 7-story multi-family residential buildings with 427 units (157 condominiums and 270 apartments) with three levels of structured parking and 36 four-story townhomes with attached garages, for a total of 463 residential units, and a transfer of development rights of 10,000 square feet from 2535 California Street, 506 Showers Drive, and 350 Showers Drive to 355 East Middlefield Road in relation to the Los Altos School District TDR program, and a Heritage Tree Removal Permit to Remove 18 Heritage trees;

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 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 condition has been satisfied:

a. File with the City of Mountain View approved improvement plans, Tract Map, agreements, and performance bonds for the required improvements.

b. This Resolution shall be recorded concurrently with the Tract Map 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 355, 365, 401, and 415 East Middlefield Road, this body incorporates by reference, as if fully set forth at this point, the Council report dated May 5, 2020.

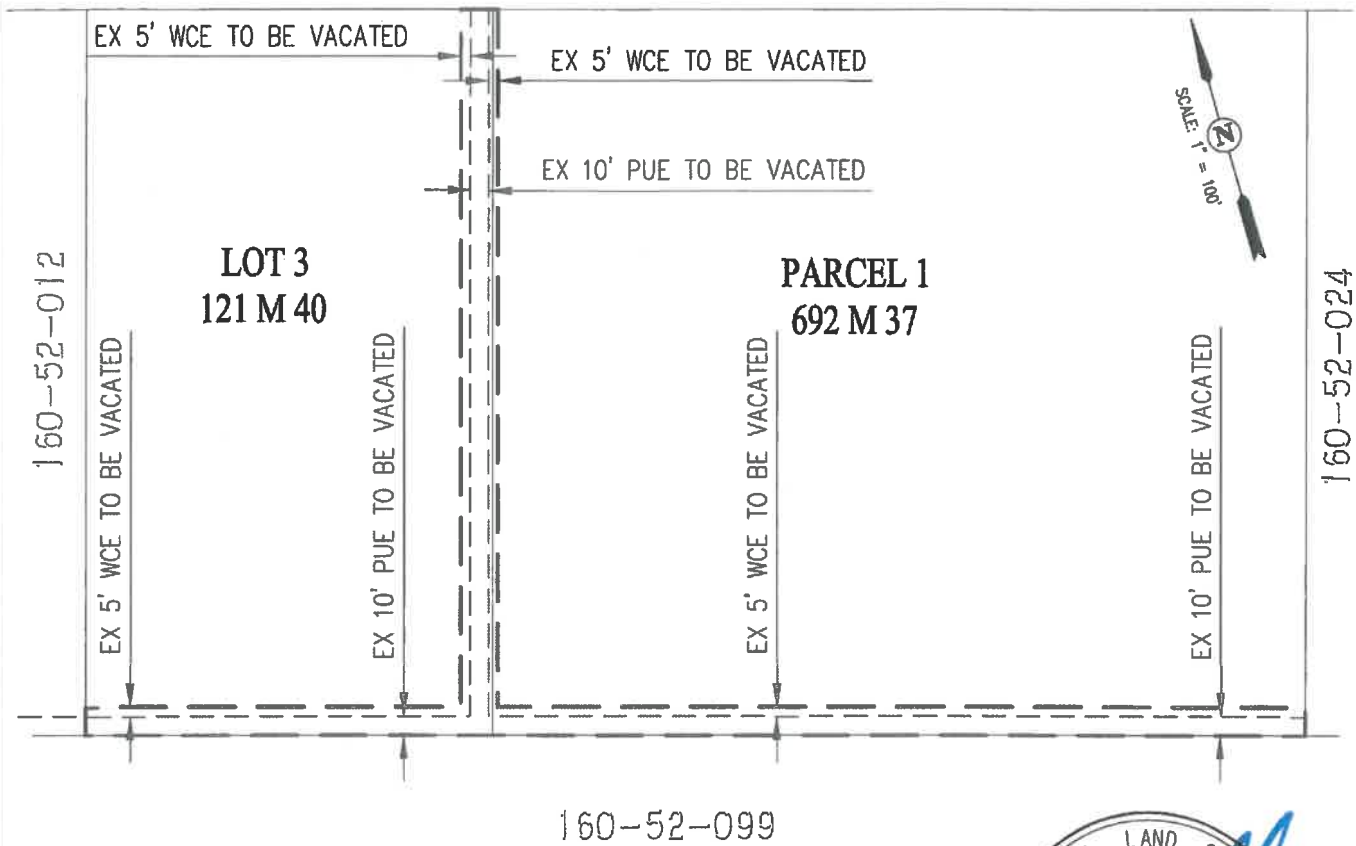
BE IT FURTHER RESOLVED that, pursuant to Sections 8324(b) and 8325 of the California Streets and Highways Code, the City Clerk is hereby directed to cause a certified copy of this Resolution to be recorded in the Office of the Recorder of the County of Santa Clara upon written notification from the Public Works Director that Conditions a and b of this Resolution have been satisfied.

-----

JR/2/RESO  
839-03-17-20r-2

Exhibit: A. Plat and Legal Description of Public Utility Easements

MIDDLEFIELD ROAD



**LEGEND**

PUE PUBLIC UTILITY EASEMENT  
 WCE WIRE CLEARANCE EASEMENT

# PLAT TO ACCOMPANY LEGAL DESCRIPTION

PUBLIC UTILITY AND WIRE CLEARANCE EASEMENTS TO BE VACATED

LOT 3 ( 121 M 40) AND PARCEL 1 (692 M 37)

SANTA CLARA COUNTY, CALIFORNIA

CITY OF MOUNTAIN VIEW

JANUARY 9, 2020

SHEET 1 OF 1

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS

SAN RAMON • (925) 866 - 0322  
 WEST SACRAMENTO • (916) 375 - 1877

JANUARY 9, 2020  
JOB NO.: 2825-000

EXHIBIT A  
LEGAL DESCRIPTION  
UTILITY VACATION  
PUBLIC UTILITY EASEMENTS (PUE) AND WIRE CLEARANCE (WCE) EASEMENTS  
(BK 4675 PG 157) WITHIN  
LOT 3, TRACT NO. 2724, ELLIS - MIDDLEFIELD INDUSTRIAL PARK (121 M 40),  
AND PARCEL ONE, PARCEL MAP (692 M 37)  
MOUNTAIN VIEW, CALIFORNIA

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

BEING THE PUBLIC UTILITY EASEMENTS AND WIRE CLEARANCE EASEMENTS AS  
GRANTED TO THE CITY OF MOUNTAIN VIEW, RECORDED JANUARY 26, 1960 AS  
INSTRUMENT NUMBER 1757468 IN BOOK 4675, PAGE 157, SANTA CLARA COUNTY  
RECORDS, STATE OF CALIFORNIA, WITHIN LOT 3, AS SHOWN ON THAT CERTAIN  
MAP ENTITLED TRACT NO. 2724 ELLIS - MIDDLEFIELD INDUSTRIAL PARK, WHICH  
MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY  
OF SANTA CLARA, STATE OF CALIFORNIA ON JUNE 16, 1960, IN BOOK 121 OF  
MAPS PAGE(S) 40 THROUGH 44 AND WITHIN PARCEL ONE AS SHOWN ON THAT  
CERTAIN PARCEL MAP FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY  
OF SANTA CLARA, STATE OF CALIFORNIA ON AUGUST 12, 1997 IN BOOK 692 OF  
MAPS, PAGE(S) 37 AND 38.

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

 1/10/2020

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

