

*W. J. ...
affidavit*

TOWN OF SAN ANSELMO
#660
RESOLUTION AND ORDER VACATING EASEMENT

A RESOLUTION AND ORDER VACATING A PUBLIC
ALLEY OR EASEMENT OVER, UPON AND ALONG A
CERTAIN PORTION OF BROOKSIDE SCHOOL
PREMISES

WHEREAS, a petition of an interested person, attached hereto and made a part hereof, has been filed with the City Council requesting abandonment of the hereinafter described public easement; and

WHEREAS, the City Council is fully advised in the premises and finds that said easement appears to be for an alley or public way but has not been used for such purpose for more than five (5) consecutive years next preceding the date hereof; and

WHEREAS, the said easement is unnecessary for present or prospective public use,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the easement or public alley hereinafter described be and the same is hereby vacated and abandoned. The said easement or alley is described as follows:

That certain public easement or alley in the Town of San Anselmo, County of Marin, State of California, beginning at an angle point in the westerly line of Berkeley Avenue, City of San Anselmo, which point is the most northerly corner of Lot 50, Map of Brookside Meadow, filed October 14, 1936, in Book 5 of Maps at page 67, Marin County Records; running thence N. 12° 31' E. 11.02 feet; thence S. 62° 16' W. 169.60 feet; thence S. 5° 18' W. 11.38 feet to a point on the northwesterly line of Lot 51 of said subdivision; thence N. 62° 16' E. 167.30 feet to the point of beginning.

BE IT FURTHER RESOLVED AND ORDERED that the City Clerk shall cause a certified copy of this order, attested under seal, to be recorded in the office of the Marin County Recorder;

BE IT FURTHER RESOLVED that the proceedings hereunder were by virtue of the authority of Section 50443 Government Code of the State of California.

Passed this 8th day of March, 1955.


MAYOR

ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF MARIN) SS.

Jean Stover being first duly sworn, deposes and says: That affiant is a resident of the County of Marin over the age of twenty one years, as such is familiar with the neighborhood and particularly with property described herein Parcel #1

BEGINNING at an angle point in the westerly line of Berkeley Avenue, City of San Anselmo, which point is the most northerly corner of Lot 50, Map of Brookside Meadow, filed October 14, 1936 in Book 5 of Maps at Page 67, Marin County Records; running thence N. 12 degrees 31 'E 11.02 feet; thence S. 62 degrees 16 'W. 169.60 feet; thence S. 5 degrees 18 'W. 11.38 feet to a point on the northwesterly line of Lot 51 of said subdivision; thence N. 62 degrees 16 'E. 167.30 feet to the point of beginning.

Parcel #2
BEGINNING at a point on the northwesterly line of Lot 51, Map of Brookside Meadow, filed October 14, 1936 in Book 5 of Maps at page 67, Marin County Records; which point is distant S. 62 degrees 16 'W 19.54 feet from the most northerly corner of said Lot, running thence; N. 56 degrees 13 'W. 422.9 feet and N. 69 degrees 34 'W. 270.1 feet to the easterly line of Butterfield Road; thence along said road line, N. 8 degrees 39 'W. 10.0 feet; thence leaving Butterfield Road, S .69 degrees 34 'E. 270.4 feet; thence S. 56 degrees 13 'E. 417.7 feet and S. 5 degrees 18 'W. 11.38 feet to the point of beginning.

That affiant has had knowledge of said area described herein above for more than five years preceeding the date hereof; that affiant knows of his own knowledge that said property has not been used as an alley for said five year period.

(Signed) Miss Jean Stover
Miss Jean Stover

Subscribed and sworn to before me this 4th day of March 1955

(Signed) Lee S. Jones
Notary Public in and for the
County of Marin, State of California

Commission expires Jan. 14th 1958

EASEMENT AGREEMENT

THIS AGREEMENT entered into by and between the TOWN OF SAN ANSELMO, a Municipal Corporation of the Sixth Class, hereinafter referred to as "TOWN", and the SAN ANSELMO SCHOOL DISTRICT, hereinafter referred to as "DISTRICT",

W I T N E S S E T H:

That in consideration of the mutual promises, covenants and agreements hereinafter contained the TOWN does hereby grant to the DISTRICT a drainage easement over, upon and along the following described real property, to wit:

That real property situated in the Town of San Anselmo, County of Marin, State of California, more particularly described as BEGINNING at a point on the northwesterly line of Lot 51, Map of Brookside Meadow, filed October 14, 1936 in Book 5 of Maps at page 67, Marin County Records; which point is distant S. 62° 16' W. 19.54 feet from the most northerly corner of said Lot, running thence N. 56° 13' W. 422.9 feet and N. 69° 34' W. 270.1 feet to the easterly line of Butterfield Road; thence along said road line, N. 8° 39' W. 10.0 feet; thence leaving Butterfield Road, S. 69° 34' E. 270.4 feet; thence S. 56° 13' E. 417.7 feet and S. 5° 18' W. 11.38 feet to the point of beginning,

as said drainage easement is now located and situated upon said land.

In consideration of the above grant the DISTRICT agrees that whenever TOWN shall require the said drainage easement shall be culverted or otherwise contained as the City Engineer of the TOWN shall direct, it being agreed that until the City Engineer shall direct the installation of culverts or other installations the drainage easement may remain open as it presently exists.

IN WITNESS WHEREOF, the parties have subscribed this instrument this 18th day of March, 1955.

ATTEST:

Quita Gannon
City Clerk

TOWN OF SAN ANSELMO

BY Arthur W. Smith
Mayor

ATTEST:

SAN ANSELMO SCHOOL DISTRICT

BY Kenneth M. Jones