

**TOWN OF SAN ANSELMO**  
**RESOLUTION NO. 3312**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO VACATING A ONE (1) FOOT NON-ACCESS STRIP AT THE TERMINUS OF MIWOK DRIVE LOCATED NEAR 53 AND 54 MIWOK DRIVE.**

**WHEREAS**, Beverly and Laurence Bartone, owners of 58 Miwok Drive, have requested the Town of San Anselmo to vacate a one (1) foot non-access strip at the terminus of Miwok Drive (see Exhibit A); and

**WHEREAS**, notices were sent to property owners within 300' radius of the one (1) foot non-access strip 10 days prior to the Town Council meeting of June 13, 1995; and

**WHEREAS**, the Town Council held a public hearing on June 13, 1995, to consider the above referenced easement vacation; and

**FINDINGS OF FACT**

**WHEREAS**, the Town Council of the Town of San Anselmo has made the following findings:

- (a) That the State of California Streets and Highways Code Section 8335 states that the legislative body may vacate a street, highway, or public service easement pursuant to adopting a resolution of vacation; and
- (b) That this one (1) foot non-access strip, which is 41.56 feet in length, was created as part of the Indian Rock Unit One tract, a Resubdivision of a Portion of the Short Ranch Unit 1 & 2, and recorded on August 19, 1964; and
- (c) That the property at 58 Miwok Drive, located beyond the one (1) foot non-access strip, is in the County of Marin and the density allowed in the County is consistent with the General Plan density of surrounding properties built within the Town; and
- (d) That access to the property at 58 Miwok Drive, located beyond the one (1) foot non-access strip, is being permitted by the Town and the owners have constructed a single family home on that property and recorded a three lot parcel map; and
- (e) That from and after the date this resolution is recorded, the one (1) foot non-access strip vacated no longer constitutes public easement across Miwok Drive.

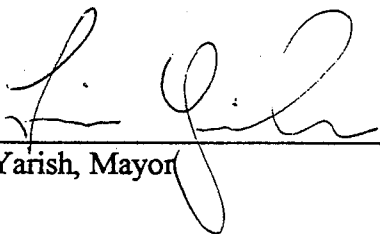
**THEREFORE, BE IT RESOLVED** that the Town Council of the Town of San Anselmo hereby approves the vacation of the one (1) foot non-access strip at the terminus of Miwok Drive, as shown on Exhibit A, and authorizes that it be recorded with the Marin County Recorders Office.

**PASSED AND ADOPTED** by the Town Council of the Town of San Anselmo on June 13, 1995, by the following vote:

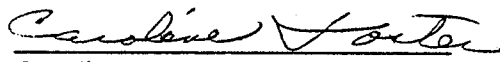
AYES: Breen, Chignell, Hodgens, Kroot, Yarish

NOES: (None)

ABSENT: (None)

  
\_\_\_\_\_  
Tim Yarish, Mayor

ATTEST:

  
\_\_\_\_\_  
Caroline Foster, Town Clerk

*Town of San Anselmo  
Dept of Public Works  
525 San Anselmo, Ca 94966*

75 00 370 | Rec Fee 13.00  
| Check 13.00  
Recorded |  
Official Records |  
County of |  
MARIN |  
JOAN C THAYER |  
Recorder |  
12:20pm 27-Jul-95 |

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- (d) That access to the property at 58 Miwok Drive, located beyond the one (1) foot non-access strip, is being permitted by the Town and the owners have constructed a single family home on that property and recorded a three lot parcel map; and
- (e) That from and after the date this resolution is recorded, the one (1) foot non-access strip vacated no longer constitutes public easement across Miwok Drive.


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NOES: (None)

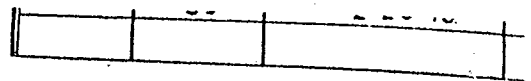
ABSENT: (None)



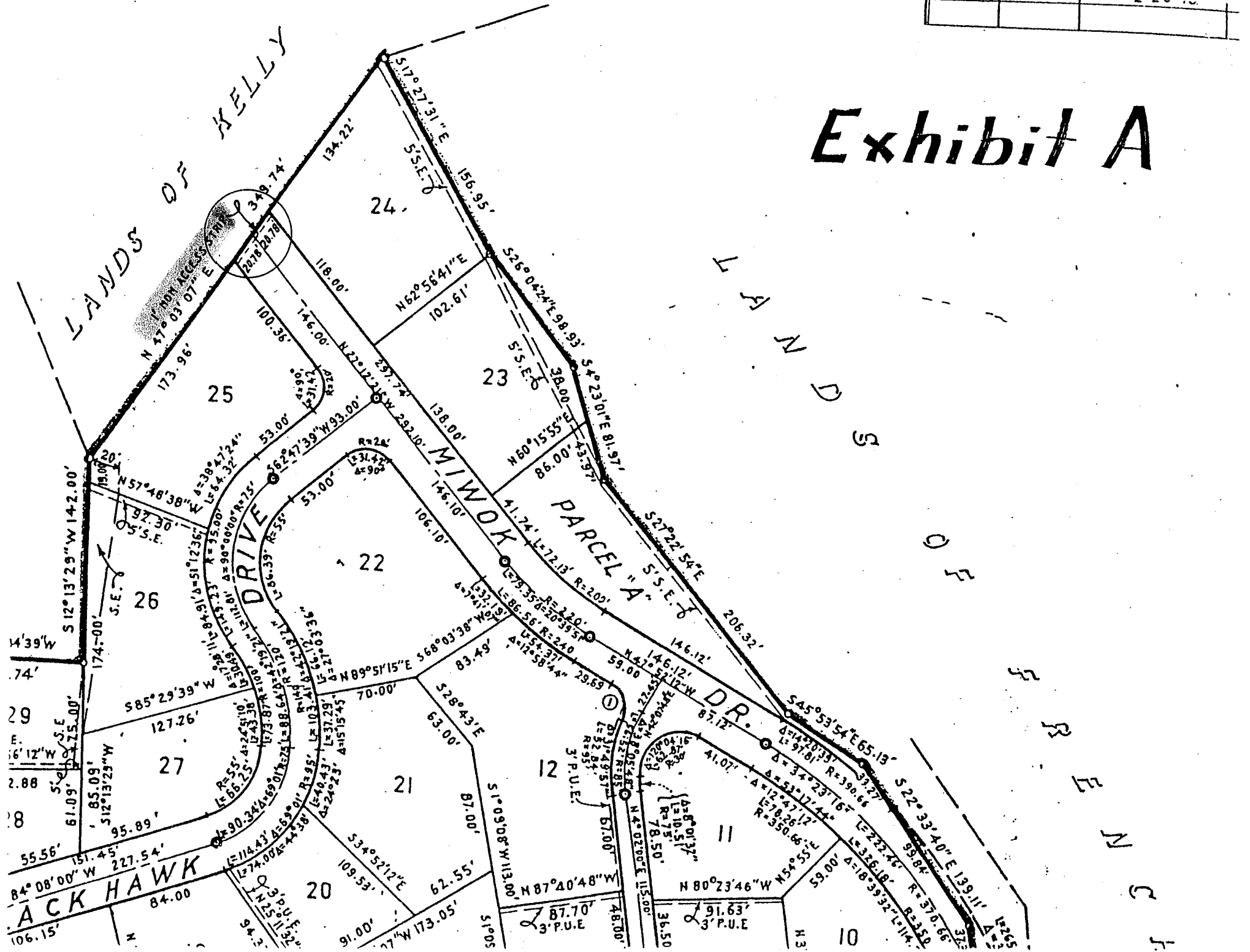
Tim Yarish, Mayor

ATTEST:

Caroline Foster  
Caroline Foster, Town Clerk



# Exhibit A



JUL 27 1995

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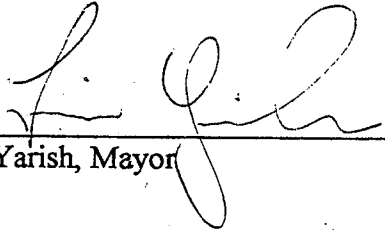
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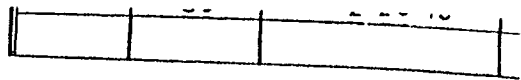
NOES: (None)

ABSENT: (None)

  
\_\_\_\_\_  
Tim Yarish, Mayor

ATTEST:

  
\_\_\_\_\_  
Caroline Foster, Town Clerk



# Exhibit A

