

TOWN OF SAN ANSELMO

RESOLUTION NO. 3469

A RESOLUTION ORDERING THE VACATION OF THE
SUPERSEDED PORTION OF EASEMENT FOR ACCESS
PURPOSES TO OPEN SPACE LANDS BETWEEN 168 AND
170 OAK SPRINGS DRIVE

WHEREAS, IN 1986 Philip and Barbara Tamarkin deeded an access easement to the Town for access to Town open space lands between 168 and 170 Oak Springs Drive known as "Kite Hill", and

WHEREAS, at their meeting of April 27, 1999 the Town Council accepted a new deed for a relocated easement which coincides with the access road as built; which easement supersedes a portion of the original 1986 easement, and

WHEREAS, the Town now wishes to abandon the superseded portion of the original easement so it can be reconveyed to the Tamarkins. Such abandonment will not result in closure of any part of the access to Town open space lands now served, except that the new easement has been limited to emergency vehicles, municipal maintenance vehicles, and non-motorized public recreational purposes, which limitations have been approved by this Council.

NOW THEREFORE BE IT RESOLVED THAT the Town Council hereby finds and declares that said portion of access easement, as described below, has been superseded by relocation and there are no other public facilities located within said portion, and therefore is not necessary for present or future access purposes:

That portion of the non-exclusive easement contained in PARCEL TWO of the Deed from Philip Tamarkin and Barbara Tamarkin to the Town of San Anselmo, recorded August 18, 1986 as Document No. 86-44587, Official Records, Marin County, lying within the following described bounds: Beginning at a point on the Northerly Line of Oak Springs Drive as shown on the Map of Oak Springs Unit Four, recorded in Volume 11 of Maps at Page 21, Marin County Records, which point is distant Northeasterly along the arc of a curve to the right, with a radius of 95 feet, 1.50 feet from the Northeasterly corner of Lot 73, Map of Oak Springs Unit Four, running thence from said point of beginning Northeasterly along the Northerly line of Oak Springs Drive, with a radius of 95 feet an arc length of 31.125 feet, thence leaving the Northerly line of Oak Springs Drive North 24° 30' West 15.194 feet, thence North 7° 15' West 38.45 feet, thence on a curve to the left, with a radius of 78.5 feet, an arc length of 90.082

feet, thence North 73° 00' West 3.765 feet to a point which bears South 89° 57' 56" West 31.443 feet and South 0° 02' 04" East 35.541 feet from the Southeasterly corner of the property conveyed from Marin Municipal Water District to the Town of San Anselmo by Deed recorded as Document Number 83-63196, Official Records, Marin County, thence South 17° 00' West 30.00 feet, thence South 73° 00' East 3.765 feet, thence on a curve to the right, with a radius of 48.5 feet, an arc length of 55.656 feet, thence South 7° 15' East 43.00 feet, thence South 24° 30' East 27.5 feet to the point of beginning.

BE IT FURTHER RESOLVED THAT said easement is hereby vacated pursuant to the provisions of Section 8330 et seq of the California Streets and Highways Code.

BE IT FURTHER RESOLVED THAT the Town Clerk is hereby directed to cause a certified copy of this Resolution, attested by her under the seal of the Town of San Anselmo, to be recorded in the office of the County Recorder of the County of Marin; and that from and after the recordation date the above described easement vacated no longer constitutes a public access easement.

I hereby certify that Resolution No. 3469 was duly passed and adopted at the regular meeting of the San Anselmo Town Council held on the 25th day of May, 1999 by the following vote:

AYES: Councilmembers Breen, Chignell, Hodgens, Kroot, Overberger
NOES: Councilmembers (None)
ABSENT: Councilmembers (None)


Debra Stutsman, Town Clerk