

RESOLUTION NO.   #4057  

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO  
VACATING A PORTION OF A RIGHT-OF-WAY WITHIN THE BROOKSIDESCHOOL  
CAMPUS, 116 BUTTERFIELD ROAD**

WHEREAS, the portion of the public right-of-way within Brookside School in the Town of San Anselmo is described in detail in Exhibit A (“Subject Right-of-Way”);

WHEREAS, the Town Council of the Town of San Anselmo finds that the Subject Right-of-Way is not presently needed for any public use and no public use will be required in the future;

WHEREAS, on November 26, 2013 the Town Council adopted Resolution No. 4053 (“Resolution of Intention”) declaring its intention to vacate the Subject Right-of-Way;

WHEREAS, the Resolution of Intention gave notice that on Tuesday January 28, 2014 at 7:00 p.m. in the Town Council Chambers located at 525 San Anselmo Avenue in San Anselmo, the Council would hear any and all persons interested in the vacation of the Subject Right-of-Way;

WHEREAS, the Resolution of Intention giving notice of the date, time and place of the public hearing was posted in the manner prescribed by law;

WHEREAS, notice of the proposed vacation was published in the manner prescribed by law; and

WHEREAS, on January 28, 2014, at 7:00 p.m. in the Town Council Chambers, the Town Council heard any and all persons interested in the proposed vacation of the Subject Right-of-Way and received and considered all evidence submitted;

WHEREAS, at the January 28, 2014, public hearing the Town Council had before it a report from the Planning Department for the Town of San Anselmo finding that the proposed vacation is consistent with the Town’s General Plan; and

WHEREAS, a drainage easement exists over the Subject Right-of-Way containing stormwater infrastructure that will continue to be maintained by the Ross Valley School District.

**NOW, THEREFORE, BE IT RESOLVED that:**

**SECTION 1.** The Town Council hereby makes the following findings based on the staff report and all other evidence submitted:

1. The Subject Right-of-Way described in Exhibit A of this Resolution is not necessary for present or prospective public use.

2. Reference is made to the attached site map at Exhibit B, which delineates the area to be vacated.
3. The proposed vacation is consistent with the Town's General Plan.

**SECTION 2.** In accordance with Streets and Highways Code section 8340, the public convenience and necessity require the reservation and exception of easements for the construction, installation, use and maintenance of public utilities.

**SECTION 3.** In accordance with Streets and Highways Code section 8324 the Town Council hereby vacates and abandons all the Town's right, title and interest in that certain property described in Exhibit A, attached hereto and made a part hereof.

**SECTION 4.** The Town Manager is hereby authorized to arrange for recording of this Resolution, including Exhibits A and B hereto, at the Marin County Recorder's Office.

**SECTION 5.** The Subject Right-of-Way will no longer constitute a public right-of-way after the date of recordation of the documents identified in Section 3 of this Resolution.

The foregoing Resolution was adopted at the regular meeting of the San Anselmo Town Council held on January 28, 2014, by the following vote:

AYES: Coleman, Greene, Kelly, McInerney, Wright  
NOES: None  
ABSENT: None

  
\_\_\_\_\_  
Tom McInerney, Mayor

Attest:

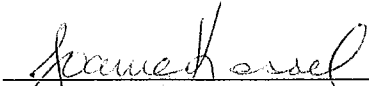
  
\_\_\_\_\_  
Town Clerk  
Joanne Kessel for  
Barbara Chambers, Town Clerk

Exhibit "A"  
Legal Description  
Drainage Easement Abandonment

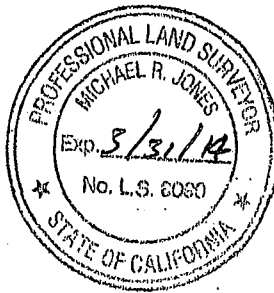
Lying within the Town of San Anselmo, County of Marin, State of California and being a portion of a ten foot wide alley way or easement between Berkeley Avenue and Butterfield Road, as shown on the map entitled Short Ranch Subdivision One, filed in Book 4 of Maps, Page 19, Marin County Records, said portion is more particularly described as follows:

Beginning at the most westerly corner of the portion of said alley way or easement as described and vacated by the Town of San Anselmo recorded in Book 930, Page 289, Official Records of Marin County, said westerly corner also be the most southerly angle point in said alley way or easement as shown on said Short Ranch Subdivision One; thence along the southerly line of said alley way or easement, North 66°33'14" West 291.24 feet to the intersection of the southwesterly projection of the common line of Lots 94 and 95 as shown on said map entitled Short Subdivision Number One; thence leaving said southerly line, along said southwesterly projection of said common line, North 02°02'29" East 10.74 feet to the northerly line of said alley way or easement; thence along said northerly line, South 66°33'14" East 289.74 feet to an angle point in said northerly line, said angle point also being the northwesterly corner of said alley way or easement vacation recorded in Book 930, Page 289; thence along the westerly line of said alley way or easement vacation, South 05°02'14" East 11.38 feet to the Point of Beginning.

Containing 2,906 Square Feet more or less.

Prepared by Cinquini & Passarino, Inc.

  
Michael R. Jones P.L.S. 8090



11/3/2014  
Date

1360 North Dutton Avenue, Suite 150, Santa Rosa, CA 95401

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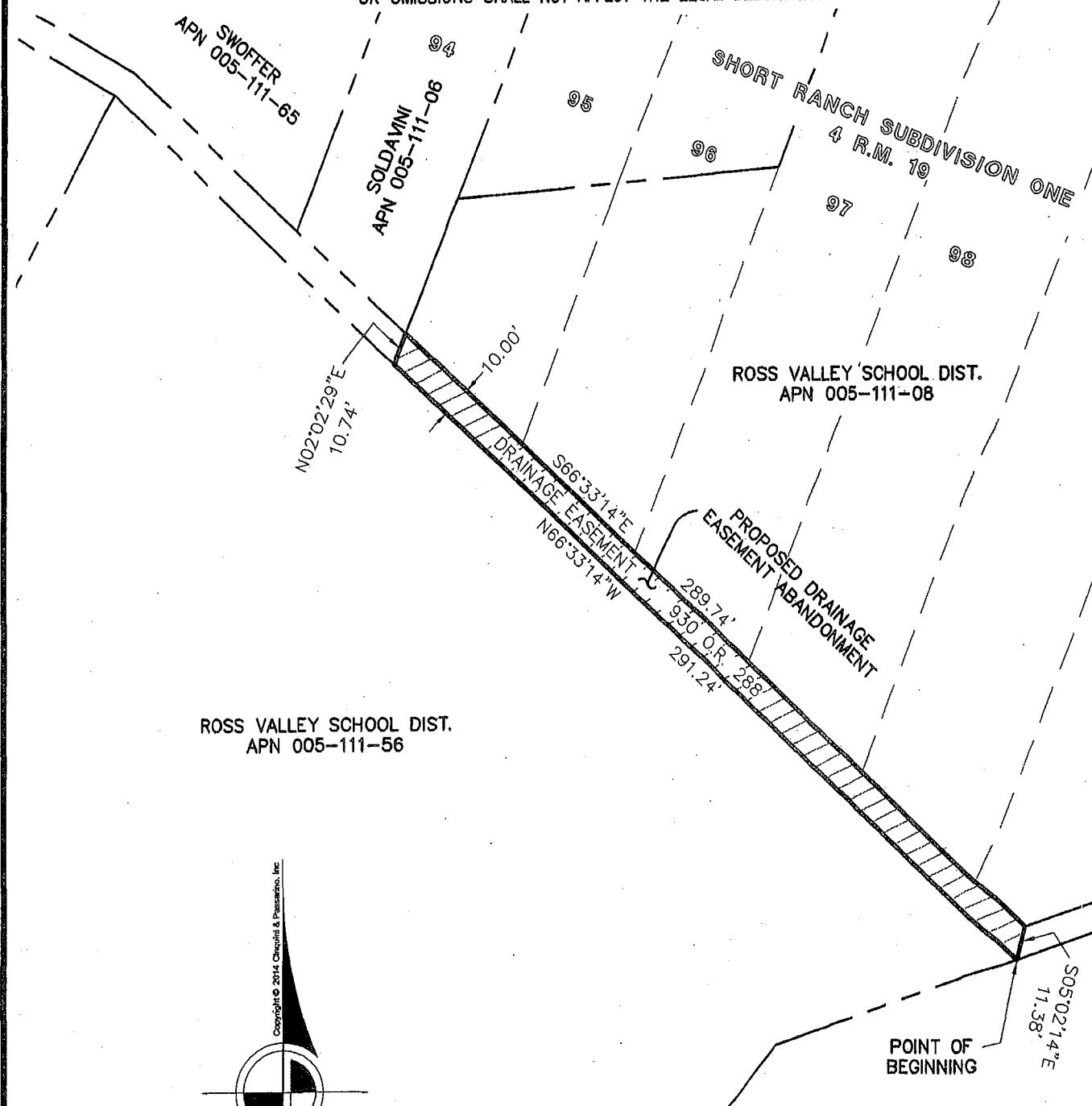
www.cinquinipassarino.com

CPI No.: 6326-11

Page 1 of 1

**EXHIBIT 'B'**

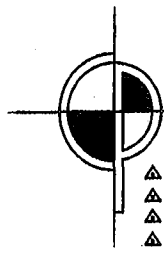
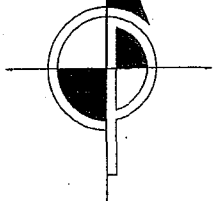
THIS DIAGRAM IS FOR GRAPHIC PURPOSES ONLY. ANY ERRORS OR OMISSIONS SHALL NOT AFFECT THE LEGAL DESCRIPTION.



ROSS VALLEY SCHOOL DIST.  
APN 005-111-56

ROSS VALLEY SCHOOL DIST.  
APN 005-111-08

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- ▲ TOPOGRAPHIC
- ▲ CONSTRUCTION
- ▲ SUBDIVISIONS

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JOB NAME:	ROSS VALLEY SCHOOLS LOWER BROOKSIDE	DRAWN BY: MRJ	CHECKED BY: JMD
DESCRIPTION:	DRAINAGE EASEMENT ABANDONMENT	SCALE: 1" = 50'	DATE: JAN. 4, 2014
		JOB #: 6326-11	SHEET: 1 OF 1