

Recording requested by and when
Recorded mail to,
Town of San Anselmo
Dept. of Public Works, G. Davison
525 San Anselmo Avenue
San Anselmo, CA 94960

**TOWN OF SAN ANSELMO
TOWN COUNCIL RESOLUTION NO. 3926**

**A RESOLUTION ORDERING THE VACATION OF A PORTION
OF STURDIVANT AVENUE RIGHT-OF-WAY**

WHEREAS, the Town Council of the Town of San Anselmo has heretofore adopted Resolution No. 3920 declaring its intention to vacate a portion of Sturdivant Avenue right-of-way, and

WHEREAS, Tuesday the 28th day of September, 2010 at 7:00 pm in the Council Chambers of the Town Council, Town Hall, San Anselmo, California was fixed as the time and place for hearing, and

WHEREAS, notice of said hearing was given and in all respects said hearing was conducted in accordance with the law:

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby finds and declares that said portion of right-of-way, as described below, is not necessary for present or future street purposes:

A portion of the Sturdivant Avenue Right-of-Way, Town of San Anselmo, California, being a portion of the Lands of the Town of San Anselmo as described in that Indenture filed in Book 205 of Deeds, at page 414, Marin County Records, and more particularly described as follows:

Beginning at the southeasterly corner of the Lands of T. Dixon Long as described in that Grant Deed, recorded in Document No. 2008-0041715, Marin County Records, Thence, along the common line of said Lands of T. Dixon Long and said Lands of the Town of San Anselmo, North 32°56'00" East, 73.00 feet; thence, along the boundary of said Lands of the Town of San Anselmo, leaving said Lands of T. Dixon Long, South 73°38'00" East, 24.50 feet; thence South 34°50'00" West, 83.80 feet; thence South 31°29'00" West 68.60 feet; thence South 36°31'00" West 61.60 feet, then South 17°31'00" West, 19.89 feet; thence, leaving said boundary of the Lands of the Town of San Anselmo, South 64°58'33" West, 21.15 feet to an angle point in the common line of said Lands of the Town of San Anselmo and the Lands of T. Dixon Long as described in that Grant Deed recorded in Document No. 2006-0000117, Marin County

Records; thence along said common line, North 35°16'00" West, 15.36 feet; thence North 36°31'00" East 92.43 feet; thence North 29°29'00" East, 69.30 feet; thence North 32°56'00" East, 3.80 feet to the **Point of Beginning**.

RESERVING THEREFROM easements for existing utilities satisfactory to the owners thereof, and

RESERVING THEREFROM pursuant to the provisions of Section 8340 of the Streets and Highways Code and for the benefit of Pacific Gas & Electric Company, the permanent easement and the right at any time and from time to time to construct, reconstruct, maintain, operate, replace, remove, repair, renew and enlarge lines of pipes, conduits, cables, wires, poles, electrical conductors, and other equipment, fixtures and appurtenances for the operation of electric, gas and communications facilities, including access, and also the rights to trim and cut down trees and brush that may be a hazard to the facilities; said area shall be kept open and free of buildings, structures and wells of any kind.

BE IT FURTHER RESOLVED that said portion of right-of-way be hereby vacated.

BE IT FURTHER RESOLVED that said vacation is on condition that the applicant agree to hold the Town harmless and indemnify the Town in the event of any legal action arising from the street vacation, said agreement to be in a form to be provided to the applicant by the Town Attorney.

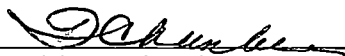
BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to cause a certified copy of this order, attested by her under the seal of the Town of San Anselmo, to be recorded in the office of the County Recorder of the County of Marin. I hereby certify that the foregoing resolution was duly passed and adopted by the San Anselmo Town Council at a regular meeting thereof held on the 28th day of September, 2010 by the following vote, to wit:

AYES: Coleman, Greene, Kroot, McInerney
NOES: (None)
ABSENT: Thornton
ABSTAIN: (None)



Barbara Thornton, Mayor

ATTEST:



Barbara Chambers, Town Clerk