

RESOLUTION R2020-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE SUMMARY ABANDONMENT OF A WATERLINE EASEMENT AFFECTING A PORTION OF PROPERTY LOCATED AT 790 LINCOLN AVENUE (APNS 001-193-004 AND 001-193-016) AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, the City of Napa was granted a fifteen-foot wide Waterline Easement conveyed by that certain Grant Deed recorded May 28, 1971 in Volume 851 at page 500, Official Records of Napa County ("Subject Easement"), affecting a portion of property located at 790 Lincoln Avenue (APNs 001-193-004 and 001-193-016), and the Subject Easement is more particularly described in Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, the location of the Subject Easement is not in alignment with the location of the existing waterline and appurtenant infrastructure; and

WHEREAS, property owner, Napa Park Homes, L.P., has granted to the City of Napa a new Waterline Easement ("New Easement") in a realigned location to accommodate the existing City waterline facilities, and the New Easement was recorded February 18, 2020 as Instrument No. 2020-0004293 Napa County Official Records; and

WHEREAS, the City Council is authorized to abandon the Subject Easement under the summary abandonment processes under California Streets and Highways Code Section 8333(c) because the Subject Easement has been superseded by relocation; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.
2. The City Council hereby determines that the actions authorized by this Resolution are exempt from CEQA pursuant to CEQA Guidelines Section 15301 (minor alteration of existing facilities).

ATTACHMENT 1

3. Pursuant to Section 8335 of the Streets and Highways Code of the State of California, the City Council hereby vacates and abandons the Subject Easement, as defined in the recitals to this Resolution.

4. The City Council hereby authorizes the Public Works Director, or the Property Manager, to process the summary abandonment described in this Resolution, and to execute any additional documents necessary to complete the abandonment.

5. The City Council hereby authorizes the recordation of this Resolution of Abandonment in the Office of the County Recorder of Napa County. Upon the recordation of this Resolution of Abandonment, the Subject Easement, as defined in the recitals to this Resolution, shall no longer constitute a public Waterline Easement.

6. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 3rd day of March, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney